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INTERNATIONAL
POLICE FORCE

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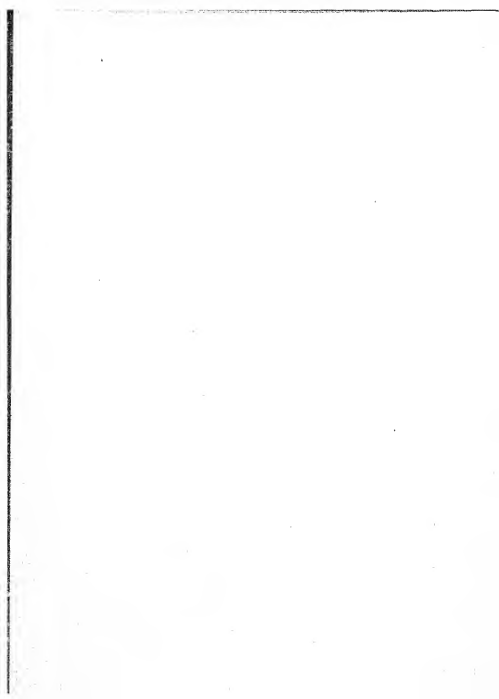
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PREFACE

International security, the preservation of the nations from repeated menaces to the peace such as have led to recurring warfare in the past and might again tend to a future war has become of deep interest to the many who have taken serious thought for the shape and stability of the postwar world. It has come to be widely recognized that peace must henceforth be enforced by some means or other when conditions so warrant. Among the foremost proposals put forth for united and effective action is that of an international armed police force.

The idea of a peace enforced through an international armed force has been voiced by many men of public note, and in some instances more or less detailed outlines of plans have been attempted. The outstanding proponents who have made allusions to the need for an enforced future security have been the President and the British Prime Minister. Congress has had before it various resolutions in the past year aimed to commit that body to the support of some appropriate plan to safeguard the next peace or to a pronouncement favoring the collaboration of this country with some form of postwar collective security.

The distinction has been pointed out as to a fundamental difference between a so-called international police force and an international army; between an organization acting against individuals or against states. Among various proposals as to the constitution, powers and uses of such an international body have been suggestions ranging from national contingents to be drawn upon at need, a force under the control of the leading Allied powers, a United Nations force, or a supranational force acting under authority wholly independent of the sovereign states; a military, naval or airforce, or a combination of all services; a transitional or permanent organization; an organization limited solely to international or world order or having, in addition, augmented peacetime functions of a far-reaching beneficent or educational nature as well.

The proposal of an international police force touching, as it does, many long-accepted national and international concepts, becomes more than a question of intrinsic theoretical or practical desirability. It has bearing upon far-reaching concepts of policy such as, for example, nationalism and sovereignty, neutrality, pacifism and disarmament. It raises questions among many as to whether more desirable moral, social and economic measures greatly needed on a wider scale would not of themselves be sufficient to attain the desired ends if applied with vision and wisdom, and obviate the need of this more debatable measure.

In this number of the Reference Shelf the effort has been made to present without bias some of the more helpful available material on both sides of this subject, and along widely diverse lines, together with background material contributing to its broader understanding. In its preparation the needs of debaters and the general reader have been kept prominently in mind. A bibliography is included.

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JULIA E. JOHNSEN

March 24, 1944

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GENERAL DISCUSSION

NATIONAL SECURITY AND INTER- NATIONAL POLICE¹

The problem of national security is generally acknowledged to rank first in the agenda of postwar planning. According to Mr. Forrest Davis, President Roosevelt "is concentrating on power; dealing with problems of power politics in contrast to what the pundits describe as welfare politics." Later in this article he says, "Mr. Roosevelt's first concern is for security—'freedom from fear' . . . without the prospect of a 'durable peace,' without agreement by the great powers on administering and policing a peace, he feels that international economic understanding would be hard to reach."

Students of world politics generally agree upon this emphasis. National public opinions will demand that security be put first. If security does not exist, economic and social policies will not be directed toward increasing the welfare of the people but toward increasing the security of the state. Large portions of the national wealth will be devoted to armaments and economic policy will tend toward self-sufficiency. With such policies the standards of living will tend to decline.

It is true that a school of thought believes that the international pursuit of welfare policies, accompanied by educational effort, may induce peoples and governments to divert their attention from power, and that the problem of security will be solved by the normal regeneration of peoples and governments. The difficulty with this program lies in the fact that it must be successful permanently and universally, or it will not be successful at all. In proportion as such a program persuades many nations to devote their attention primarily to welfare, in a world where some aggressive nations remain, security will decline. This is true because in a world where each state is responsible for its own defense the opportunity for one or two nations to succeed in a policy of aggression will improve in proportion as the other

¹ By Quincy Wright, Professor of International Law, University of Chicago. *American Journal of International Law*. 37:499-505. July 1943.

nations devote their policies to economic welfare at the expense of military preparedness. Pursuit of welfare under such conditions is a policy of suicide. The instinct of governments and nations in putting security first is, therefore, justifiable. How can security be achieved?

It has been suggested that it is only necessary to disarm the present aggressors after their defeat and to reach agreement for collaboration among the United Nations to keep them disarmed. Doubtless such a policy will be carried out immediately after the war, but it would not suffice to prevent another war in a generation. It is not probable that the present political alignments will continue. It may be recalled that two of the Axis powers, Italy and Japan, were enemies of Germany in the First World War, while Turkey, an ally of Germany in that war, is now neutral. Furthermore, experience suggests that such a policy would stimulate the Axis powers to revolt against the discrimination involved in this policy. The unequal disarmament of Germany under the Treaty of Versailles was an important element in Germany's revenge propaganda.

If the Axis powers were permitted to recover economically as required by the Atlantic Charter, they would have the means for eventually rearming. With the motive and the means for rearming, only a very complete inspection and supervision by the United Nations could prevent the realization of rearmament by Germany. It is not to be anticipated that the unity and vigilance of the United Nations, necessary to maintain an efficient inspection and supervision, will endure if they continue only as a loose coalition formed primarily for the purpose of winning the war. The attention of democracies tends in time of peace to concentrate on domestic affairs. The inspection of German armaments, authorized by the Treaty of Versailles, rapidly became quite inadequate. With the Axis powers augmenting both their desire and their capacity for revenge, with the United Nations declining in unity and vigilance, with some of the United Nations shifting to the Axis side, with the effectiveness of supervision of Axis armaments declining, the sense of security would rapidly decline.

Recognizing the difficulty of maintaining peace either by continuing for an indefinite period the preponderant force of

the United Nations or by ignoring the role of force in national security, outstanding statesmen have frequently suggested an international police force. This term has sometimes been used without precise definition, but probably more careful attention has been given in recent months to its meaning and to the possibility and desirability of realizing it than during or after any war of the past. Critics have emphasized both political and technical difficulties, while advocates have appealed both to history and to reason.

Neither the difficulties nor the advantages of an international police force can be appraised unless compared with those inherent in alternative proposals. Force there will be in international relations, and six methods have been suggested for organizing it. These may be called (1) isolation, (2) self-help, (3) empire, (4) balance of power, (5) collective security, and (6) international police. All have been attempted at certain times and places, on some occasions with considerable success. The characteristics of each of the methods or policies, and utility of each for solving the problem of national security in the conditions of technology and opinion likely to prevail after the war, will be briefly considered:

1. Isolation is the policy of relying upon geographical position and the absence of close economic and political contacts for security. There are few students of military and political affairs who believe that in the present age of airplanes, submarines and industrial dependence upon imported minerals, even the best located countries, such as the United States, can gain security by this policy. The Neutrality Acts of 1935-1941 were the last gasps of American isolationism. When confronted by the reality of war in Europe and Asia, American opinion realized, as it had in 1917, that the United States would be in grave danger if the resources of Europe and Asia should come under the domination of one or two aggressive powers.

2. Self-help is the policy which adds to the advantage of geographical position continual military preparedness to enable each state to deal with any possible aggression. Under present conditions, however, even the largest states cannot defend themselves against all possible coalitions of their neighbors. Policies of preparedness for self-help require under conditions of highly

industrialized warfare a continually expanding *lebensraum* for each of the great powers. Such expanding living spaces encroach upon one another and thus precipitate war for all and destroy the security of each.

3. Self-help, therefore, tends to beget a struggle among all the great powers for universal empire, a condition in which one state has emerged in a position to defend itself at the expense of the independence of all the others. Rome achieved this for a time in the ancient world. It is the policy which Charles V, Louis XIV, Napoleon, and now Hitler, struggled to achieve. But in each case the effort failed after bloody wars. Empire is a policy hostile to democracy, and in fact, the policy which the United Nations are fighting against today.

A review of these three policies suggests that in the modern world efforts to achieve security through isolation lead to efforts to achieve security through self-help. This, in turn, demands increasing empire. These policies are related to one another, all springing from the insistence that each nation shall enjoy complete sovereignty, and shall be alone responsible for its own defense. They are all incompatible with security in the contemporary world, unless indeed one state emerged with a universal empire. In that case the ideals of democracy and nationality would have been subverted.

4. The policy of balance of power implies that each state defends itself through parallel action or collaboration with its neighbors against any state which manifests signs of getting so powerful as to endanger the others. Balance of power policies may make use of military and economic preparation of alliances and guarantees, of international commercial and financial measures, of territorial transfers and renunciations, and of preventive and remedial wars. The object of these devices, however, is always to prevent or frustrate the dangerous aggrandizement of any state in the system. Balance of power has been the policy pursued by most of the powers during most of the period since the Renaissance. Great Britain generally assumed leadership in this policy, which yielded a high degree of security in the nineteenth century. It differs from pure self-help in that it implies a realization by each state that its security depends

upon an equilibrium in the international system as a whole. Each state seeks security, not directly, by increasing its own strength, but indirectly by maintaining this equilibrium. Adherence to balance of power policies marks the beginning of the consciousness by each government of the unity of the system of states. Balance of power policies, however, cannot yield security today because of the development of total war, of the *blitzkrieg*, of economic interdependence, and of democracy. Democracies are fatally incapable of pursuing policies of military preparedness, of secret alliance, and of threatened war sufficiently in advance to frustrate the activities of the potential aggressor. Threats of war are idle unless supported by preparation for war, and in the present world such preparation requires years of stockpiling (because no country has all of the rare minerals it needs for military action), years during which civil liberties are sacrificed to military discipline (because total war requires detailed coordination of the activities of the entire population), and years during which economic welfare is sacrificed to taxes, tariffs and government regulations (because the economy must be diverted to military purposes and made invulnerable to blockade). The deliberation and discussion which is the essence of democracy is ill adapted to the Machiavellian policy of secret diplomacy, bluff, and threat necessary for successful balancing of power under any circumstances, and particularly in a world where air-propelled *blitzkriegs* can overrun small or unprepared states in a few days, and military preparation requires the devotion of over half the economic resources to war.

5. Collective security implies recognition of a juridical international order in which all states have agreed upon procedures for determining aggression and have agreed to collaborate by economic or military action in order to prevent it. This method for achieving security differs from that of balancing power in that each state recognizes that its security depends upon a juridical international order rather than upon a mere military equilibrium, and in that each state accepts permanent legal obligations of collective action rather than a mere policy of parallel or collaborative action. The experience of the League of Nations gives little hope that this system in itself will be adequate

to create general security. Countries will not rely upon the good faith of all to carry out their sanctioning obligations in the emergency. If collective security fails to create general confidence, countries will still feel obliged to pursue policies of self-help or balance of power. China, Ethiopia, and Czechoslovakia relied upon collective security and were overrun. The world juridical order must rest upon something more efficient and reliable than the obligation of states to collaborate after the crisis has arisen, if the basic law forbidding aggression is to command or to deserve confidence. Potential aggressors will always anticipate the possibility of dividing the sanctioners while they gobble up smaller neighbors one at a time. Furthermore, even with complete good faith, the organization of collective military or economic action takes time, and an aggressor may hope to accomplish his object, at least for the time, before the forces of collective security can come to the aid of the victim. Collective security given two years might have worked to frustrate Mussolini's plans in Ethiopia; but Mussolini accelerated his program and Ethiopia was entirely occupied before Italy felt the economic pinch.

6. International police is a device whereby the international community as a whole is equipped with a permanent force disciplined and loyal to the international council, and sufficiently powerful to frustrate aggression by any government or probable combination of governments. The international community must be universal and permanent. If governments likely to commit aggression do not belong or can withdraw, the international police force would lack juridical competence to control them. Action against governments of non-member states would not be police but war. The organization of a police force in the community is the device through which individuals have gained security in civilized societies, and through which states have gained security in federations. The difficulty lies in the inroads it makes upon national sovereignties, and the fear it arouses of a universal tyranny.

It is believed that airpower, which has done so much to prevent security through self-help or through balance of power policies in the contemporary world, makes possible the develop-

ment of an international police with a minimum of interference with national sovereignty and independence. If national military air forces were reduced or abandoned by agreement and a small international air force, based upon islands strategically located and convenient to the danger spots in the world, were established, the first steps toward an aggression could be frustrated. Because of its mobility and its control of the air the international force could be on the spot before the aggressor had begun his conquest. The international air force should be supplemented by obligations of each of the nations to come to the assistance of the victim of aggression with its land and naval forces, and through the utilization of economic sanctions. The existence of the international air force would, however, make the enormous difference between the forces of law and order being in time for preventive action and being too late to effect anything other than an eventual victory in a world war. In civil society the uniformed police force is small in proportion to the population. The ultimate force behind law is the determination of the average citizen that law shall prevail. But without the police force, an ever ready spearpoint against crime, the citizens' determination is unavailing and anarchy exists.

The difficulties, legal, political and economic, of organizing security through an international police force cannot be minimized. Public opinion must be educated to realize that the sacrifices of sovereignty required by accepting an international police force will be less than the sacrifices of sovereignty involved in a succession of world wars. The latter seems the probable consequence of reliance upon any of the other methods of security. An international council to control the police force, and organs and procedures for determining aggression and for regulating and financing the police force, would also be necessary. If the world order is to be free itself from the increasing instability of a purely military balance of power, it must establish jural and political checks and balances to preserve the flexibility and progressiveness only possible when there are many centers of initiative and to prevent the stagnation and tyranny of over centralization.

The statesmen who must plan for the postwar world cannot neglect public opinion. They must realize the strength of nationalism today and the reluctance which national publics will have to collaborate in setting up an international police force able to prevent aggression by their own country as well as by others. They must realize that such a police force implies the establishment of representative political institutions in the world to manifest world public opinion and to organize and finance such a force. A political council appropriately representing the nations, with a procedure preventing arbitrary action but permitting unified action in emergencies, must be established to control the police force. Statesmen must also realize that aggression must be defined and that a court or council must be created to apply such definition to particular cases expeditiously and decisively. Facing these difficulties, however, statesmen must also realize that it is idle to make a plan in deference to public opinion which will not work. They must bear in mind the warning which Washington gave the Federal Convention in 1787: "It is too probable that no plan we propose will be adopted. Perhaps another dreadful conflict is to be sustained. If, to please the people, we offer what we ourselves disapprove, how can we afterwards defend our work? Let us raise a standard to which the wise and the honest can repair; and the rest is in the hand of God."

SUPRANATIONAL POLICE ²

The point at which the sharpest conflict appears between the traditional notion of the state and the needs of supranational organization is the proposal of a police power endowed with authority and strength to control the conduct of national governments. Immediately connected with the idea of police is the idea of coercion, and this is the direct negation of that illusory independence which is at once the joy of governments and the boast of excited mobs.

² By Percy E. Corbett, Professor of International Law; Chairman of the Social Sciences and Commerce Group, McGill University. In his *"Post-War Worlds,"* p. 136-43. Copyright, International Secretariat, Institute of Pacific Relations. Published by Farrar & Rinehart, New York, 1942.

Belief in the necessity of independence for the state has been so successfully instilled into the citizen, and is so absolute, that he does not apply to state conduct the code of morals which stands behind the national law and forms the standard for his own acts and those of his fellow citizens. Indeed, he has for centuries been consciously taught to reject such a code for his country. He does not therefore readily perceive the justification for measures of force applied to his state, though he accepts calmly the lawful restraint of the individual.

There has moreover been an oversight in most recent propaganda for peace. Some success has been achieved in fixing a moral stigma on war. But any application of force to a state, if resisted, becomes war in the popular and accepted sense. Constantly when there is talk of sanctions against states violating their obligations, the objection is raised—"But that means war"; and an immediate moral confusion presents itself because here, as elsewhere, the stigma accompanies the idea.

It is unfair to saddle the proposal of coercive action against countries guilty of aggression with the odium which quite properly attaches to war arbitrarily initiated by one state and employed as an "instrument of national policy." A clear distinction can and should be maintained by emphasis on the notion of the superstate community with a law having primacy over that of any state member. That law observes precisely the same moral standards as the law of the state and, like the law of the state, must have force at its disposal to guarantee its application.

The immorality of war is, however, a consideration which influences relatively few, though they are among the more vocal, of the people whose thoughts and feelings constitute what is known as public opinion. The movement for a supranational police force, preached by Lord Davies in *The Problem of the Twentieth Century* and devoutly furthered by the New Commonwealth Institute of London, has encountered a more formidable obstacle in a combination of two fears. One is the fear that "our boys" will be sent fighting in remote corners of the earth; the other that the object of coercion will retaliate by such unpleasantly direct methods as dropping bombs on the cities which furnish the men and arms employed against him.

The detailed arrangements made for the establishment of supranational police in current plans go some way toward removing the grounds for these fears. They advocate a permanent professional force under an internationally constituted general staff responsible to the authorities of the supranational community. They pool existing navies under the same type of command. At the same time they deprive individual states of heavy artillery and tanks, warships and military aircraft. The calm acceptance of the use of naval forces in remote waters is some indication that the distaste for distant punitive expeditions is one that attaches to "citizen armies" rather than regular professional services whose personnel choose their profession without geographical reservations. The disarmament which is always part of the plans deprives the aggressor country of the means of effective retaliation, while the fact that the coercive action is decreed by the supranational community and carried out by its own forces relieves the member states of individual responsibility.

It is impossible, however, to eliminate all danger of destructive retaliation. An aggressor country which, in spite of all precautions, has acquired sufficient military power to set out on the path of violence may well select conveniently situated neighbors for its revenge. Brigands within the state have from time to time achieved such a position and adopted such tactics. They have not thereby persuaded the body of citizens that the national organization and its police are a danger rather than a protection.

The police analogy is rejected by some serious writers on the ground that the proportion of power in any supranational community as against the individual state is much less than that residing in the state as against the individual citizen. This argument would have arrested the whole process whereby the clan or tribe has been subordinated to the city state, the city state to the nation state, the state to the federation in many lands. The problem is essentially one of proportion of means to ends; but its solution is greatly aided by the larger unit's assumption of authority and protection extending not simply to the subordinated groups, but to the individual members of the

groups, with an accompanying division of the citizen's loyalty. The resident of Massachusetts looks for a large part of his security, and is subject in a large part of his conduct, to the government, not of Massachusetts, but of the United States. His status as an American citizen is at least as precious to him as his membership in the Commonwealth of Massachusetts. Thus it comes about that the act of an official of a subordinate group in violation of the law of the larger community is not necessarily regarded as a group act or supported as such by the group.

Of course the supremacy of the central authority in its proper sphere, though immediately provided in a constitution, may require time for its establishment in fact. In the United States the process involved a long series of interpretative judgments by the Supreme Court and was only complete after a civil war. It remains true, however, that the course of political development has been the integration of small communities into larger units and that the present demands of security and prosperity point urgently to active facilitation of this trend. There is no difference in kind between that centralization of power which produced the modern state and the contemporary effort for supranational organization. The latter is merely the beginning of a new stage in a continuous process, and the needs which dictate this further development are of like nature with those that inspired each of the advances already accomplished.

Far from being a false analogy from the growth of the modern state, then, the tentative approach to the creation of supranational police is the same process in a larger sphere.

Nearly all the current plans of organized peace concur on the need for a police force under supranational authority powerful enough to operate successfully against states resisting the common will. But they differ considerably in their treatment of the matter. Some of them drop it after declaring the principle. Others, because they are concerned only with the European scene, give the specifications in more or less detail for a Continental force without considering the impact of extra-European interests on its operation. Still others make all sanctions a regional affair and link the various regional associations in a purely cooperative League divested of any compulsory power. Finally

some of our writers add to their arrangements for regional police a more or less powerful protective and disciplinary establishment of world-wide scope and responsible ultimately to a single world authority. Thus Buell in his *Isolated America*, having linked up his regional associations in a world society of nations under a World Council, gives that Council command over a "symbolic and preventive" police force which would be available in addition to the regional forces to check nascent aggression or occupy territory in dispute.

As an eventual goal, the creation of a unified world force with military, naval and air arms is beyond criticism; and to do them justice that is the way in which it is regarded by those of our writers who endorse the proposal. If even the democratic world is still far from willing to federate in one union, still less likely is it that the world as a whole can be brought in any near future under one authority exercising the dominant military power which is an essential feature of such union. If there were any immediate prospect of achieving this, it would be needless to labor the preliminary steps of regional federation; we could proceed at once to work out the detail of a federal union for the world.

Men who work for progress must choose for themselves whether they shall eschew all compromise and direct their energies to the immediate realization of the complete ideal, or concentrate on a less perfect but more attainable objective from which they can make a fresh start toward the ideal. In the first case they risk a neutralizing classification as fanatics; in the second they risk, condemnation for tolerance and inadequacy. In this study I take the latter course, fearing lest in attempting all we gain nothing.

Those plans which advocate a supreme force under one joint authority in Europe are already ambitious enough. This in effect means a single federal union of Europe, for I repeat that submission to one dominant military and police authority is the chief hurdle in federalization. More probably the next forward step in the political development of that continent is the grouping of its various nations in several parallel federations. That a trend in this direction already existed before the present war,

in Scandinavia, among the Baltic States, in the Basin of the Danube and in the Balkans, is proved not merely by intellectual speculation but by political discussion. As this is being written [1942] the Czech and Polish governments in exile are discussing postwar federation of their two countries. Of these groupings the Western federation, which must eventually include Germany, will be the most advanced industrially, socially and culturally, and the most powerful. It will be the controlling factor in European politics, acting, it is to be hoped, through an association in which all the federal unions, including Soviet Russia, will participate. Some considerable time will elapse before this association is given command of a force sufficient to impose its will. In that interval discipline is likely to be in the hands of the pooled forces of the Western federation, which will secure the progressive disarmament of its own individual members and of the other European unions. Admittedly one of the delicate problems in this program will be the collaboration of the Soviet Union, over which the tutelage still possible for other groups will not be feasible. Yet, with the conduct of the Soviets in the Geneva League as an indication, there is ground for hope that the problem will be solved, even though we may be less optimistic than Mr. Jennings in his *A Federation for Western Europe* about the eventual triumph of democracy in Russia and the possibility of bringing the Soviet Union into the Western federation.

Along with this development in Europe it is not unreasonably optimistic to expect an increasing integration of the Pan American community. Considerable strides in this direction have been made in recent years, particularly since the meeting of the Montevideo Conference in 1933. The ratification and coming into force of the very comprehensive system for the peaceful settlement of disputes drawn up at Washington in 1929, the agreements at Buenos Aires and Lima in 1936 and 1938 to maintain a common policy of neutrality, and the action taken under those agreements at successive meetings of the foreign ministers since the outbreak of war in September 1939, the joint pressure brought to bear to end the conflict between Bolivia and Paraguay, and the current effort of Washington to coordinate

the defense of the hemisphere against political, economic and military penetration from outside—all of these are indications that the need of organization is increasingly realized.

There has never yet been any actual approach to the establishment of a common force to prevent aggressions between nations of the hemisphere or to protect them against external aggression, though this was one object of the Congress of Panama in 1826. Responsibility for defense was long ago assumed by the United States, and certain police functions have from time to time been performed by the same country under unwelcome riders to the Monroe Doctrine. The contemporary threat of German invasion may lead to the creation of a joint force, if only to forestall unilateral action by the United States which, dictated by necessity, would hardly respect the jealously asserted sovereignty of the Latin American states. One of the functions of such a force, in addition to resisting invasion, would be to put down Fascist-Nazi risings leading to European domination. The force once established to meet an emergency would not necessarily disband with the passing of that danger.

At Ogdensburg in August 1940, the President of the United States and the Prime Minister of Canada made an agreement which may lead far in the direction just indicated. A Joint Defense Board has been created to coordinate measures of continental defense. From that to a joint force is not a great step, nor does it seem likely that the expediency of extending the agreement beyond the United States and Canada can long be denied.

At the best, however, any arrangement of this nature in the Western hemisphere will, for some time to come, be of a contractual rather than constitutional character. It is hardly likely that any joint force would achieve the position of a federal army. It would consist rather of temporary contingents under international command regulated by treaty, and would be liable to all the defects of the Continental Army under the first American Constitution. It would closely resemble the army that might have been assembled by the League of Nations if it had ever embarked on military sanctions.

For peace in the Pacific, the proposal now most supported is that the Nine Power Treaty should be restored to life, this time with the addition of the Soviet Union among its signatories and with provision for joint action against a party violating its clauses. Here also would be a system, not of a federal nature but approaching the League type, having recourse in circumstances defined by the treaty to contributory police measures. The arrangement would be subject to all the weaknesses revealed in the sanctions machinery of the League Covenant; but it would be workable (as the League would have been) given the will. It may be held that the proviso of determined purpose begs the whole question of the merit of such a pact; but the value of a program of action is surely self-evident. If the Nine Power Treaty of 1921 had contained, instead of the vague obligation to communicate and consult, a clause binding the United States and Great Britain to join in defined measures of enforcement, it is at least arguable that the ruin of the organization for peace in the Pacific, and the closely connected ruin of the League, would have been averted. We may take the lesson of experience without crying over spilt milk.

Developments of the sort just described are less perfect, but more probable, than any scheme of uniform regional federations embracing the whole world. We shall therefore be prudent in planning for the cooperation of dissimilar associations of states—associations conforming to different conditions of geography, political evolution, cultural tradition and social habit. It may be that events have brought us to the eve of superstate organization in Europe, with the accompanying creation of unified forces for purposes of internal order and external defense; but there is little evidence of any tendency as yet to the division of the oceans into naval zones policed by two navies absorbing and replacing national fleets and carefully balanced in strength. This part of the plan which we described in a previous chapter as that of an English group is too remote to be included in any program of immediate postwar organization. The strategic distribution of the British and American navies in the Atlantic and Pacific respectively, whether that be the result of agreement or an entirely spontaneous response to separate estimates of the national

interest, is still a far cry from the contributory creation of non-national naval forces operating under supranational authority.

This conclusion has been disputed on the ground that the present war is slowly but surely bringing about a union of American and British forces. The union will have to be maintained at least long enough to set a new supranational organization securely on its feet, and during that time British and American arms will in fact be acting as world police. Why should they not combine in that capacity either by mere bilateral agreement or as the military, naval and air establishment of the world commonwealth? My answer is that even if the American and British peoples were willing indefinitely to supply and be taxed for these forces (which is at least questionable) the other nations would not indefinitely submit to British-American coercion. A world police would have to be thoroughly internationalized, and this involves universal federation.

I have spoken of the police power and the functioning of supranational military, naval and air forces as one and the same thing, while admitting that defense against attack from outside would be one function of such forces. I regard the whole business of keeping the peace within a federation and enforcing the obligations of federated states *inter se* as one of police, even though this may involve methods commonly described as military. The crux of the problem of federalization is submission to action of this nature directed by a central authority, whereas the union of forces under one command against a common enemy is already a familiar feature of temporary alliances. The latter function of the common force is, moreover, destined to diminish with the strengthening organization of the world community. In the ultimate objective it completely disappears, the task of order and security as between the various associations of states being taken over by one universal police force unified and distributed in some such way as that sketched by the English group mentioned above. The distinction between the police and the armed forces, between civil and military functions, is one belonging to the stage of international anarchy, and there is therefore some point as we approach world government in emphasizing the civil character of all agencies of compulsion.

To sum up, I believe that while certain parts of Europe may be ripe for willing submission to federalized police establishments guaranteeing the fulfillment of articles of association, and while agreements on contributory joint enforcement of sanctions on League lines may be possible in other areas, the exercise of police power is not likely to be more than regional in scope for some time to come. This amounts to saying that any common organization supplementing the various regional associations sketched by our writers will not for the present be backed by any other military force than that which states or regional associations may from time to time be willing to put at its disposal. My reason for this conclusion is that I do not see evidence yet of a sufficiently widespread and powerful sense of the community of the human race to serve as a basis for what would amount to a world federation. Failing that evidence, while one may ardently desire to foster and spread this sense, one cannot adopt a project of world police as part of what sets out to be an immediate program of progress in international politics.

WORLD POLICE FORCE²

The second foundation for peace, as Republican leaders saw it, was *world-wide enforcement*. Theodore Roosevelt is to be credited with the first statement of this idea. In his speech in Christiania in 1910, accepting the Nobel Peace Prize, Theodore Roosevelt endorsed the idea of a league to enforce peace "by force if necessary." In 1915 he wrote, "The futility of international agreements in great crises has come from the fact that force was not back of them. What is needed . . . is to create a judge and then put police power behind the judge."

William Howard Taft was no less clear. "We are not peace-at-any-price men," he said in a speech at Philadelphia (1915). "We believe it is still necessary to use a threat of overwhelming force of a great league, with willingness to make the threat good in order to frighten nations into a use of rational and peaceful means." In the same year Charles Francis Adams wrote to Root

² From article "The Fate of Mighty Nations," by Russell W. Davenport, Chief Editorial Writer, *Life. Fortune*. 27:128, 131. May 1943.

that he thought we were "tending irresistibly to Tennyson's parliament of man and federation of the world." Root replied, "I agree with you about the tendency." But he expressed irritation at the glib and facile pacifists who did not understand international difficulties. He went on to say that in order to have a court (he always thought in terms of a court) whose judgement would be respected, there must be an international police force. Root was cautious in approaching this idea, but later in the same year (1915) he had evidently progressed toward it. "Laws to be obeyed," he said, "must have sanctions behind them. . . . Many states have grown so great that there is no power capable of imposing punishment upon them except the power of collective civilization outside the offending state."

That these Republican statesmen had their feet on the ground was shown in the year 1910, when Congress took the utterly unprecedented step of passing a joint resolution, which Taft signed, calling for the creation of a peace commission. The stated object of the commission was to "consider the expediency of utilizing existing international agencies for the purpose of limiting the armaments of the nations of the world by international agreement, and of constituting the combined navies of the world an international police force for the preservation of peace." This is the furthest north that any Congress has ever gone toward internationalism. And this was a Republican Congress.

By thus meeting head-on the issue of force, on the one hand, and of law on the other, the new-era Republicans broke the ground for almost all the internationalist thinking that has been done since. Of course, any such thinking along these lines leads ultimately to the touchy question of national sovereignty. And yet that tough realist Elihu Root did not duck even the issue of sovereignty. In a letter to Colonel House dated August 16, 1918, which his biographer (Philip C. Jessup) describes as the most authoritative summary of his views, Mr. Root said:

An international breach of the peace is a matter that concerns every member of the community of nations—a matter in which every nation has a direct interest, and to which every nation has a right to object. . . . The Monroe Doctrine asserted a specific interest on the part of the United States in preventing certain gross breaches of the peace on the

American continent; and when President Wilson suggested an enlargement of the Monroe Doctrine to take in the whole world, his proposal carried by necessary implication the change of doctrine which I am discussing. . . . *The change involves a limitation of sovereignty, making every state subject to the superior right of a community of sovereign states to have peace preserved just as individual liberty is limited by being made subject to the superior right of the civil community to have peace preserved.* The acceptance of any such principle would be fatal to the whole Prussian [and/or Nazi] theory of the state and of the government. When you have got this principle accepted openly, expressly, distinctly, unequivocally by the whole civilized world, you will for the first time have a community of nations.

No approach to the problem of world peace has ever been more honest—or more daring.

DISTRIBUTION OF POWERS BETWEEN AN INTERNATIONAL GOVERNMENT AND THE GOVERNMENTS OF NATIONAL STATES⁴

Universal feeling seems to converge upon the postulate that after this war an international government shall be formed to control war and peace of the world, and that the United States shall take full share in it. This dual demand is considered a fundamental platform on which all men of goodwill can meet. There is a far-spread tendency, however, to postpone inquiries into its exact meaning and implications. This vagueness may have merits for winning popular support. It has none in preparing for final action. It may even defeat the movement's purpose, because little may come from the longing for international government, unless details are well prepared in advance. Or, built with a marble façade on shaky foundations, international government may lead to disaster rather than avert it.

None of the United Nations—at least none of the "Big Four"—has thus far given up its sovereignty. For this very reason, no insurmountable difficulty may lie in the way of continuing their alliance to some good purpose after the war, and gradually extending it to other nations. That is still a far cry,

⁴ By Arnold Brecht, Graduate Faculty, New School for Social Research. *American Political Science Review*. 37:862-72. October 1943.

however, from the establishment of an international government which, distinct from the governments of its constituent members, should have the power to take consequential steps independently. If we stake our hopes on this latter type, we must answer the question of how shall the powers be divided between the international government and the governments of the national states? In passing through the immense flood of discussions on international government, it is amazing to see how scant are the contributions to this question.

Powers to be given the international government cannot be discussed fruitfully without paying attention to the composition of the body that is to exercise them. On first thought, it may seem safe to assume that the United States will always be a partner in making decisions. That, however, is a dangerous fallacy. Among the first institutions likely to be considered is an international court vested with authority to make final decisions on such vital questions as whether a country has acted as an aggressor and whether therefore the members of the international organization are obligated to take certain steps. Such a court has *persons* as its members rather than countries, and although one of its members may always be an American citizen appointed on the proposal of the United States Government, it is not the government but the individual that renders an opinion in court. If the court directly or indirectly were to decide on peace or war, then peace and war would not be a matter on which the people of the United States had a final vote.

In fact, it would not be much different with American participation in the executive and legislative bodies of an international government. Only if Congress were to direct the vote of the American representatives there by joint resolution of the two houses could one properly say that the *United States* had a share in the decisions. If the country were represented merely by delegates of the President or State Department, their vote might be in conflict with the opinions of Congress, which, according to the Constitution, has the power to declare war. Even if the boldest dreams should come true through the establishment of an international parliament chosen in universal elections, the United States as a nation would have no vote unless its repre-

sentatives were held to cast their votes uniformly on the basis of a preceding caucus decision.

These are great difficulties in themselves. They are aggravated by the fact that, although American members of international bodies may present the views of the United States correctly and efficiently, they may be outvoted in court as well as in council and legislature, unless unanimity be required as it was in the League, or at least unanimity of the great powers. Thus the decision on war and peace may not rest with the United States, either in form or in substance.

We must face these difficulties squarely and not leave it to opponents to bring them into the battle. To preserve the peace of the world, to save civilization, and to develop higher social standards, the United States should certainly brace itself to overcome narrow isolationist feelings and show its good intention to cooperate in the establishment of international government. But it should do so constructively, after thorough analysis of the entire problem, rather than blindly.

Sacrifices in self-determination will be more readily accepted if the powers of the international government are to be slight than if they are to have vital importance. To give the international government non-consequential powers does not, however, seem to help us towards the end we are seeking. On the contrary, the leading idea is that in certain situations the international government should decide on war for all member states, especially if one country, without being provoked, should attack another for any reason anywhere in the world. Furthermore, it should have an armed force, called an international police force, even in peacetime, and a monopoly in the production and use of certain weapons. These, indeed, are not matters of slight concern.

The main problem remains, therefore—however much we try to escape from it—whether war for the United States shall become the automatic consequence of a decision made over the head of Congress and people of the United States by an international court, council, or legislature. If the question were only that of minor upheavals to be suppressed by concerted action, it might not seem too bold to leave the decision to an international

body. But there is no guarantee that aggression will come only from minor powers, or that it will not end in global conflagration. At any rate, no "police action" undertaken by the international government would be an action merely of that somewhat impersonal body. It would automatically engage the United States. Its duration, scope, and result would decide the fate of the United States exactly as if this country had gone to war on its own determination. If the cause were remote and of doubtful justification, Congress might have hesitated. Once drawn into the conflict without its consent, there is little choice but to go on.

For all these reasons, I feel that pledges, if any, of the United States to surrender to an international government the power to decide on war and peace cannot be general and unconditional. Special arrangements may, of course, be made with other countries for mutual assistance in regard to *specific* dangers, such as rebellion of defeated countries. But pledges in *general* terms, covering any disturbances anywhere in the world, cannot be recommended before certain conditions are fulfilled. Suppose Great Britain withdrew from India before the various states there came to an agreement on a reasonable and constructive federation or some other sort of peaceful regime. In that event, according to the best judgment, some sort of war would be likely to arise. It would not be merely civil war, but war between what then would be separate states. Should any such aggression in any part of India against any other part compel the United States to rush to the protection of one of the parties? Again, if Europe be left in a condition of atomistic anarchy of small states with no constructive links between them and with intolerable injustices prevailing, the United States would have good reason to refuse being drawn without its consent into any violent conflict certain to arise from such conditions.

In sum, if the United States were ever to surrender the decision on war and peace to an international court or council, such transfer could not be recommended regardless of whether conditions were just or unjust, reasonable or unreasonable, constructive or destructive, encouraging or depressive. It should be envisaged only on condition that a just and workable order of the world is going to be established, and go into effect only in

regard to regions where this is achieved. In the meantime, the United States should be extremely active in bringing that order about . . . should promote other aspects of international government; . . . but, except for special alliances against specific dangers, it should keep the decision on war and peace for itself in its own hands.

To establish just and orderly conditions in densely populated territories which are divided among a great number of national units, and efficiently to control practices that may lead to war there, more is necessary than a world-wide international government erected as a superstructure immediately over the national units. Control must begin much earlier than with the suppression of actual aggression, and it must be automatic, i.e., independent of any initiative to be taken by some government agency. This can be achieved to an adequate extent only within regional federations. We must, therefore, accustom ourselves to thinking in terms, not of *one* international government, but of several levels of such governments, including minor regions, such as federations of medium-sized states; major or quasi-continental regions, such as a European or an Indian Federation; and a global organization, which may originate in the United Nations or the League of Nations, or both.

It is not necessary that quasi-continental combinations be "perfect unions" with a federal monopoly in foreign policy, in armaments, in interstate commerce, and the like. It is sufficient that they be limited to a few well-defined purposes, i.e., that they constitute limited-purpose federations. Among these purposes, however, must be that of preventing war among the members by a number of devices, which must begin operating far earlier than with the actual event of unprovoked aggression. Such devices should include: (1) Maintenance of certain minimum standards of freedom and equality of individuals within the member states. For, if some authoritarian government is able to silence any kind of possible opposition by terroristic methods, it can more easily prepare for aggression and do so secretly. On the other hand, if freedom and equality are secured to all individuals, including those who belong to political, racial, or religious minorities, the present sinister significance of bound-

aries is modified. (2) Maintenance of a certain minimum of political institutions to secure popular representation and free elections. This, too, is a guarantee against secret preparation for aggression. (3) Maintenance of certain minimum conditions of free communication, free traffic, and free commerce within the federal territory and with the world at large.

To establish adequate standards of this kind efficiently for the whole world is not feasible, because—as we shall see . . . below—traditional views in the various sections of the world are too different to be brought upon a common denominator other than one of extremely low standards. Nor can world institutions secure automatic control. Within regions, such control can be established. Individuals whose rights are violated by local (national) authorities can be granted appeal to federal courts, or to one federal supreme court, and the federal court or courts can be authorized to go into the details of the case with the usual tools of evidence, including inspection on the spot. Numerous federal states have demonstrated that this arrangement is workable. The United States, Canada, and Australia have proved that it can operate on a continental or quasi-continental scope.

In Europe, too, there will be no difficulty, after the defeat of totalitarianism, in establishing minimum standards and their automatic control to a remarkably high degree, at least outside of the Soviet Union and, at present, Spain. Spain is likely to fall in line soon. Whether the Soviet Union is ready to accept minimum standards and their effective control by federal institutions, depends on her own decision. If she should wish to stay apart, it would not affect the significance of the arrangement for the rest of Europe. Nor would it preclude her from continuing treaty relations with Great Britain and eventually entering into such relations with other members of the European Federation, as this federation is to be one of limited purposes only rather than a perfect union or *bloc*. Members may enter into any treaty relations with outside powers, provided they are not in contravention of the principles and limited purposes of the federation.

Other measures which would tend to prevent war within a regional federation lie in technological and economic fields. While it is not feasible to monopolize public control of the main railroads of the whole world, it is quite possible to do so within a densely populated continent. This holds true for the main continental airlines as well. If thus the most important means of transportation by land and air are brought under federal control, preparations for war are strongly checked from this additional angle. Federal control of other public utilities may follow. Furthermore, institutions to facilitate interstate commerce can be equipped with greater powers on a continental than on a global scale. It is not feasible for global institutions directly to establish the necessary interstate arrangements within densely populated regions like Europe or India, although the details should keep in line with a world-wide schedule.

Such regional organization as here outlined protects neighboring states from mutual attack more efficiently than any clumsy machinery on the global level can do directly. It takes the rigid meaning from intra-continental boundary lines. It secures life and liberty and regard for human dignity, irrespective of where people live. In barring terroristic regimes, it meets the greatest dangers in psychological preparation for war. It controls important tools such as transportation by land and air. It interlocks the economic and technical affairs of the member states.

Measures directed immediately against armament and aggression should be regarded as an important supplement, but no more than a supplement, to those more constructive features. General disarmament alone, without justice, would not abolish war—people would fight with scythes and bricks, but fight they would if they felt frustrated, unless they were confronted with superior power. Leaving aside here the question of discriminative measures against defeated countries during a transitional period, nothing could better serve to quell fights between neighboring peoples than a complete federal monopoly of armaments. That, however, may be impossible to achieve, even in regional federations. A "Declaration of Aims and Principles for a European Federation," distributed recently by the Pan European Conference, has indeed proposed such a complete federal monopoly

in armaments for Europe. It has further advocated that the commander-in-chief of the European Police Force should always be chosen from one of the smaller nations of Europe. These proposals are, however, unrealistic, at least in case Great Britain should care to be a member of the European Federation, which I think would be highly desirable. British autonomy regarding the navy would be abolished and all British armaments subjected to the control of a federal European council in which Great Britain would have only one of several votes. I am afraid such ideas, in over-simplifying matters, do more harm than good to sound endeavors towards some kind of European federation. If Great Britain were ever to yield control of her armaments entirely to an international government, she could do so only to a world government—on condition that all others did the same—or to a Government of the British Commonwealth, or to an Anglo-American union, but not to a Pan European government, unless it were controlled by her.

It is less utopian—although still very optimistic—to think that Continental Europe without Great Britain and Russia may reach complete monopolization of its armament questions under federal control. In that event, some special arrangement with Great Britain will be necessary. At least, the European Covenant should try to provide for some effective limitation of armaments within the member states and a federal monopoly in the production and possession of certain heavy arms. A federal police force may be set up to enforce the Covenant whenever necessary, after the federal supreme court has declared that a member state violated its constitutional duties or in case of aggression. To suppress armed rebellion, conditions may be formulated under which all armed forces of the member states are to be subordinated to a federal commander-in-chief to be appointed by the council or legislature.

In sum, distribution of powers between the supranational government and the national governments can be outlined effectively for a regional federation. It may even be possible to leave details, in so far as they cannot be formulated definitely in the formative stage of the federation, to a legislative body to determine with qualified majorities. Thus one may boldly im-

agine an article on distribution of powers in the Constitution of the European Federation which would read as follows:

The Legislative Body of the Federation has the power, by two thirds of the votes cast, to establish, valid for the entire territory of the Federation—(1) minimum standards to protect individuals from arbitrary or cruel measures; (2) minimum political rights of representation and minimum standards for free elections; (3) minimum rights of emigration and immigration; (4) minimum standards to protect national, racial, and religious minorities; (5) principles for the solution of technological, economic, and financial problems; (6) principles restricting armament and the production of arms in the member states; (7) principles for the arbitration of conflicts between member states.

The Legislative Body may furthermore create institutions designed and authorized to control the application and execution of the standards, rights, and principles so established, and for the arbitration of conflicts between member states. It may maintain military and police forces on behalf of the Federation and undertake the production of arms, especially those the production of which has been denied to the member states, subject to principles that may be established by a world-wide organization.

The Legislative Body, or by delegation the Executive Body, may determine economic, police, and military measures to be applied against a member state that should violate its obligations under this Constitution; provided that, except in defense against aggression or armed rebellion, no such measure shall be applied before the Supreme Court of the Federation has established the violation.

No decision of the Legislative or Executive Body may discriminate against any member state, except in so far as such discrimination is devised to secure compliance with legitimate rulings after they have been violated and until compliance is attained. Controversies about the validity of federal decisions are decided finally by the Supreme Court.

Decisions of the Legislative or Executive Body and other federal institutions, unless they exceed the powers granted, have supremacy over contradictory state and local regulations.

All this may be feasible on a regional level. Far less can be done on a global scale. But considerably more can be accomplished on the higher level after some regional settlement of this kind has been reached.

If we now return to the distribution of powers in matters of war and peace between the governments of individual nations and an international government of global jurisdiction, the problem has lost much of its stringency. Once Europe and other densely populated regions have been organized satisfactorily so

as to maintain regional peace under normal conditions through regional institutions, it remains for a global organization mainly to do two things, namely, to provide subsidiary support in the maintenance of regional peace and to maintain peace between regions or empires. Hard as it is to plan for a world government with such functions, it is a problem much more limited than that of directly policing and pacifying all the individual nations.

1. Whenever a federal government is threatened by the rebellion of one of its member states in violation of basic principles, it may call for help, if that should be necessary. Whether the United States cared to grant military support would, under the old system, be for Congress to decide from case to case. To leave such well-limited decision to a world government, in which American delegates would have an adequate vote, can be seriously considered.

2. All justiciable conflicts between federations or between them and the remaining independent units or among the latter may be subjected to the decision of a world court. This problem is so familiar that I need not discuss it here. The risk for the United States in subjecting itself to this procedure is so limited that it can well be endured.

3. Non-justiciable political conflicts may be subjected to compulsory arbitration. There are several alternatives as to jurisdiction and procedure of arbitration and the meaning of the award. To choose among them is beyond the purpose of this article.

4. As to the limitation of armaments, the world-wide organization would, after the defeat of the totalitarian countries and the establishment of Europe's federation, be faced with a problem not very different from that of making an agreement between Great Britain, the United States, and the Soviet Union. Once agreement on limitations is reached, international institutions may obtain the power to supervise conformance with the established principles. This right of surveillance would then be one of the powers transferred to the international government. The right to determine the principles themselves could hardly be sur-

rendered in this way. They must be established in the covenant or by subsequent agreements.

5. The international government may furthermore obtain the power to administer territories, facilities, and plants for the common welfare of humanity. Such arrangement may be of greatest benefit in the administration of colonial territories, of canals and straits of global importance, of international airways, of airfields, and of plants for the production of such armaments as under the agreements on armament restriction may not be produced by individual states or regional federations. The difficulty here is less with the formulation of the powers of the international government than with the acquisition of the territories and other assets from those who own or control them today.

6. In this context, the international government may also obtain the power to maintain an international police force and to summon armed forces from the member countries in those rare cases in which the international government is given the power to start armed expeditions.

7. In addition, the global organization may pursue humanitarian, social, technological, economic, educational, and similar aims by establishing institutions which in these fields have independence in the disbursement of their funds and the claim to obtain information from the member states, but normally no further powers.

8. Specific boards with broader powers in these fields may be established for deciding on well-defined questions and discharging well-defined administrative functions. Such boards may emerge in the field of currency stabilization or of trade regulations, and also in that of giving passports to stateless persons. The powers of these boards must be determined exactly and specifically. This can be done either in the original covenant or in subsequent treaties.

9. Maintenance of basic standards of individual justice and individual security—primary function of regional federations—can play only a minor role, if any, in the direct activities of the global organization. It is, of course, highly desirable that the global covenant establish minimum standards of individual justice

and security everywhere in the world and provide world courts which will hear appeals from countries where such standards are not secured either directly or through federal institutions, or where the municipal or federal courts deny justice. But it is not difficult to foresee that, while a regional bill of minimum standards can be elaborate and powerful, a global bill is doomed to be vague and timid and to leave ample loopholes. Nor would it be technically feasible to grant every individual appeal to a global supreme court just as to a regional one. It would be a great achievement if the executive council of the world organization could be given the power to bring the violation of fundamental principles of justice in any part of the world to a judicial procedure before an international court. Or, as Quincy Wright has proposed, the court itself may be given the power to accept individual complaints if it thinks they are so important as to warrant the procedure, although this selection is a political rather than judicial decision. One glance at the Soviet Union or colonial empires will dampen hopes that the powers given the global organization in this respect will go very far. But the attempt should be made with an ardent and crusading insistency.

10. The chances are even worse that minimum standards as to political rights of individuals or groups for participation in government can be stipulated on a global scale.

In sum, the functions of an international government of global jurisdiction can be most easily developed in the administration of facilities of world-wide significance and as a subsidiary controller of affairs that cannot be mastered by regional arrangements. Its importance should be sought, not in individual, local, or regional, but in world affairs.

SOVEREIGNTY NOT IMPAIRED BY WORLD FEDERATION⁶

This debate but reflects the intense, widespread public interest in the subject. It is of immediate, vital and transcendent importance. The existing "Society of Nations" is in reality a

⁶ By Frank G. Tyrrell, Judge, Municipal Court, Los Angeles. Radio broadcast, January 23, 1944. 11p. Typew. The Author.

horde of nations, having no law, no sovereign, no judge. As improved means of transport and communication continue to reduce practically the dimensions of the physical globe, the subject grows in importance and urgency. It dwarfs domestic problems and processes, serious and vital though they be, because it is proximately connected with them, and may dislocate, transform, or suspend them at any moment.

Air transport is still in its early beginnings, but already it has eliminated rivers, mountains, oceans and the polar icecaps as barriers between nations. The world has become integrated, and will become more closely integrated. This question of national sovereignty touches vitally every man, woman and child on earth, and all coming generations. Under conditions that have obtained since nations emerged on the scene four centuries ago, millions are at any moment liable to be sentenced to death, without appeal or escape, as they have been in two World Wars.

The popular conception of sovereignty is utterly unreal and illusory, a mere abstract theory, without concrete expression anywhere. For sovereignty is not absolute. If in any government there is found power legally and absolutely sovereign, with no constitutional limitation, even there that so called absolute power must be exercised with reference and deference to the moral restraints which inhere in enlightened public opinion, called by early jurists the Law of Nature.

Forty years ago, James Bryce began his discussion of "sovereignty" with the observation that there is a great deal of confusion in regard to it. Through the years since, that confusion has not cleared up; rather it has been deepened, darkened, and extended. Yet it has been pointed out again and again that upon these subjects of sovereignty and international law, so called, there is more nebulous thinking, loose talking, and word jingling writing than on any other subject of human concern.

Black's *Law Dictionary* tells us that "sovereignty" is "the supreme, absolute and uncontrollable power by which any independent state is governed." And again, "Political independence is the attribute of a nation or state which is entirely autonomous, and not subject to the government, control, or dictation of any exterior agency." In an early case, the Supreme Court of Cali-

fornia said, "The incidents of sovereignty are those powers of which a state cannot divest itself without materially impairing its efficient action. All the powers necessary to accomplish the legitimate ends and purposes of government must be sovereign, and therefore must exist in all practical governments."

A few years later that court in another case held, "Sovereignty is a term used to express the supreme political authority of an independent state or nation. Whatever rights are essential to the existence of this authority are rights of sovereignty. Thus the right to declare war, to make treaties of peace, to levy taxes, to take private property for public uses . . . are all rights of sovereignty, for they are rights essential to the existence of supreme political authority. In this country, this authority is vested in the people, and is exercised through the joint action of their federal and state governments . . . with respect to sovereignty, rights and powers are synonymous terms."

The prevailing idea of sovereignty is that it is absolute, uncontrolled, subject to no restraint whatever. As some of the discerning writers of history tell us, there has never existed on earth any person, or any body of persons, vested with this utterly uncontrolled power, with no external force to fear, and nothing to regard except the exercise of mere will. . . .

It seems evident that the timidity and aversion shown by those who think they are opposed to a world federation arises from taking these definitions of sovereignty at their face value. But they are abstract definitions of an abstraction. In the sense of these definitions there is not and cannot be a sovereign nation anywhere; least of all is the United States sovereign. "Uncontrollable power?" It does not exist. Without let or hindrance Japan exercised a sort of very definite control over the United States at Pearl Harbor, which we obeyed, *eo instanti*!

Here at home the Congress has "sovereign" legislative power; but that power is limited, as to subject, matter and form. There's the barrier of the Constitution, and even when legislating definitely within their limits, they are bound by certain artificial rules, and can command obedience only when they comply with those rules. . . . And the Bill of Rights explicitly declares, "Congress shall make no law" respecting religion, freedom of the press or

of speech, the right of public assembly and of petition, etc. It is absurd to talk about the legislative sovereignty of Congress.

It is superfluous to point out that the President is likewise bound about by rule and precedent, and also the Supreme Court. It is clear that "sovereignty" as popularly conceived, does not exist in the United States; that if it can be found at all, it is in the people. Prof. John Chipman Gray in *The Nature and Sources of Law*, says categorically that there is no sovereign, with these powers, in the United States of America.

The government is merely the agency of the sovereign people. The men who from time to time compose it as legislators, judges, presidents, governors, sheriffs, and so on, are only agents or attorneys-in-fact, to whom the people have temporarily delegated certain authority and power. I am not stating my opinion, or opinion at all, no matter whose, but obvious facts. Since the United States is not sovereign, how can you impair or surrender what is non-existent?

Power, or sovereignty, rests with the people, and is dormant unless and until it is set into motion by a delegation to chosen representatives. Thus only can it be exercised. The plain historical fact is that when the people of the thirteen colonies, acting through chosen conventions, adopted the Constitution, all they did was to delegate to the central government certain strictly limited powers. This they did, because there were common interests which could best be served in that way, and some interests that could not otherwise be served at all.

By this delegation they did not lose, they gained; dormant powers came to life. Thus to provide for the common defense was far more effective and far less costly than for each to retain its power and provide for its own defense.

When the states delegated those powers, they were not impaired or sacrificed; they were simply made operative and effective. In other words, it was not an impairment or surrender of state sovereignty or of popular sovereignty; it was the placing of it by the respective ratifying states in an organization by and through which it could effectively operate. As it was the act of the people in delegating the power, so it still is the act of the people when the central government as their agency proceeds

to its exercise; for what is done by an agent is done by the principal.

What more than this is required for the world federation? It too will be composed of delegates chosen and empowered by the peoples of the participating nations, and those delegates will be able to act in the international area only by virtue of the power with which the people clothe them. It should be understood once for all that the cooperation of the several nations through such a world organization, so far from being the impairment or surrender of sovereignty, is the exercise of it, in the only way it can be exercised, by delegation of power. It will be a manner of exercise to which we are unaccustomed, but a new method of declaring and exercising power does not impair, it increases and extends power.

There is no diminution of sovereignty when we assert it in cooperation with other sovereign states. The United Nations are at this very moment cooperating in a horrendous global war, and each and everyone thereby gains tremendously in power. What intelligent person will contend that when the United States joined the United Nations we surrendered our sovereignty? Or that by so doing, this delicate sovereignty and proud independence were in any measure impaired? Unless we had joined, we would have placed our national existence in deadly hazard.

Can it be that cooperation in a war of survival can be had without loss, surrender, or impairment of sovereignty, but not in an agreed establishment for cooperation to keep the peace we shall have so dearly won? The idea is absurd.

After centuries of toil, bloodshed and martyrdoms, the peoples of the various civilized nations wrested irresponsible power from their rulers. They thought, poor souls, that was the end of it on earth. And it was the end within the territorial boundaries of each nation. But the same irresponsible power was left to the independent nations, everyone of which has the right at any time, impelled by greed, ambition, whim or caprice—for any reason or without reason—to declare war. And this right to declare war is claimed as one of the attributes of sovereignty!

As night follows day, this theory negates and annuls the hard won sovereignty and independence of every nation, and

leaves them all subject to the caprice of any bellicose power. This is a terribly shrunken world. My parents crossed the plains in covered wagons, six months from Rock County, Wisconsin, to Humboldt County, California, one hundred and eighty days, four thousand, three hundred and thirty hours. Now you can start anywhere and reach any other point on earth in sixty hours. . . .

In a world so small, war anywhere dislocates the world economy, robs the nations of their right to freedom from war, and sooner or later involves them all in a Euroclydon of destruction and devastation. The only possible remedy for this state of dread and deadly peril is to deprive all nations of irresponsible power; and this can be done only by the federation, association, of nations numerous and strong enough to compel the gangster and bandit powers to keep the peace.

In such a momentous and challenging enterprise, it is for the sovereign people to act. If they are finally tired of being cannon fodder, if they have at long last had their fill of war—mass murder and destruction—they will now rise in their might and end it! Rulers cannot be depended on, nor politicians. In the discussion of sovereignty to which I have alluded, Mr. Bryce says in a closing paragraph that it lies where the Romans placed it two thousand years ago, with the people. History evidences this fact. Successful revolutions attest it. A measure of civilization exists because of it. The people have the power, by sheer weight of numbers. What they have heretofore lacked has not always been intelligence; often it has been merely the lack of a determination to enforce their will against the machinations of reactionary politicians—as occurred twenty-five years ago. And for that deplorable lack they have paid and are paying with their lives, dying at the dawn of manhood, every life purpose and promise defeated and annihilated.

To end the irresponsible power of nations is our immediate task. So far from requiring a surrender of sovereignty, it demands the exercise of it by delegation of power to a central government of the associated peoples.

Each separate people desires to be and should be sovereign in the organization and administration of its domestic affairs.

Under present conditions this desire is unrealized and unrealizable. What was the practical and peremptory significance of Japan's sneak attack at Pearl Harbor? It was an impertinent and imperious order to the United States to suspend instantly its peaceful and normal way of life, to halt its everyday industry, and turn its immense productive power from the manufacture and marketing of consumer goods to the making of munitions and all the costly mechanism of war. And the "independent" "sovereign" United States meekly obeyed!

We experienced the same utter impossibility of sovereign independence in the First World War, when in her brutal unrestricted submarine warfare, Germany attacked the United States—another display of irresponsible power. And this will be the continuous performance of certain greedy, upstart powers, unless the governments that insist on civilization organize to control and suppress the international banditti. Until then, national sovereignty in the domestic area is impossible; all will be subject to dictation and attack by ambitious aggressors.

To talk about a method of international cooperation, which alone can make domestic sovereignty possible, as a surrender or impairment of sovereignty, is indeed to "darken counsel by words without knowledge."

Present world conditions are in many respects precisely analogous to those of the thirteen Colonies before the adoption of the Constitution. As Hamilton in the *Federalist*, No. 21, and following, points out, the Confederation's fundamental defect was "the total want of a *sanction* to its laws," no "power to exact obedience, or punish disobedience—either by pecuniary mulcts, by a suspension or divestiture of privileges," or by any other mode. Precisely this has been the condition in world affairs, ever since nations emerged upon the scene.

What we call "international law" as the leading jurists remind us, is "law only by courtesy." The Department of International Law in any university will insist that it is law, because national courts sometimes enforce it. But these courts have no jurisdiction in the international area; and even when they recognize some rule of international law, they are bound by the law of their limited jurisdiction. The most obvious characteristic of

"law" is that it is coercive. As we read in the Vedas, "Law is the King of Kings, far more powerful and rigid than they."

The *Federalist* emphasizes another incongruity which was found in the Confederation, and exists likewise in international law, ". . . the want of a mutual guaranty of the state governments." On the world scene this can be supplied only by an international league, federation—call it what you will; but the fait accompli is imperative, as "a mutual guaranty" of domestic nationalism and sovereignty.

Even if there were a surrender of some part of sovereign power, the gains to the participating nations would more than offset it. That there would be or need be any such surrender I deny, for delegation is not surrender; it is assertion, exercise, demonstration. This appears in still clearer light when we remember that in the international area there is now no sovereign, no law, but only custom, consensus, convention, treaty or contract. So, to extend our sovereignty in combination with that of other nations, is merely to extend and initiate the reign of law in an area where at present there is no vestige of authority, or coercive power of law. It is but the next step in the orderly evolution of law, a sort of cosmic process which cannot be forever halted by human arrogance and ignorance, and which is imperiously demanded if law, order and civilization are to continue anywhere on earth. The horrors and tragedies of two world wars are shouting to the nations, "Form an invincible alliance to establish justice and maintain peace; build no more human hecatombs!"

FORCE *

When the League of Nations was founded after the First World War, the cardinal problem was whether force should be at the disposal of the League. All pacifists were against this and the League was instituted without any provision for the use of force to meet the demands of necessity. That meant that from the very beginning of its existence, the League was func-

* By Emery Reves, Naturalized British subject; Economist, Founder of Cooperation Press Service, Paris. From his book *A Democratic Manifesto*, p. 105-7. Random House, New York, 1942.

tioning in a vacuum of unreality, without any chance of settling such matters which could not have been equally well settled without its existence.

It was with the utmost tenacity and determination that the governments refused to permit the League to apply force. There were at least ten occasions during 1931 and 1939 when the slightest manifestation of force behind the resolutions of the League could have prevented the present world war. Through the most extraordinary acrobatics of reasoning, somehow this was always blocked. And when for the first time that unrealistic machinery of Geneva was put to the test, when more than fifty nations angrily voted for the application of sanctions against Italy, the leading democratic statesmen declared to the world that sanctions must be kept harmless; otherwise Europe would be plunged into war.

There were enough sanctions adopted to irritate the aggressor power, but under no conditions were such sanctions advocated, the application of which would involve force. Sir Samuel Hoare said: "There may be degrees of aggression. Elasticity is part of security." And when in order to "preserve peace" the democratic governments favored the recognition of the Italian conquest of Ethiopia, Lord Halifax said: "Great as is the League of Nations, the ends it exists to serve are greater than itself, and the greatest of those ends is peace."

The peace was so perfectly preserved and the aggressor power was so grateful to the democratic nations for not applying sanctions against it that in less than four years Italy declared war against Great Britain and France. All these sad experiences should make clear to us what we ought to have known without any experience, that force cannot be denied or ignored.

Force is a reality. If there is one law which can be deduced from the history of mankind, it is that whenever and wherever force was not used in the service of the law, it was used against the law. It is pure gangsterism that we are fighting today. This fact more than anything paralyzed the judgment of our democratic statesmen during the past ten years. We have been accustomed to regard ministers, ambassadors and representatives of other nations as gentlemen, people similar in background and education to our own leaders.

We have seen gangsters organizing bank robberies, bootlegging, the kidnapping of children, the making and circulating of counterfeit money, but we have never before seen and could never imagine that a band of gangsters could take possession of the entire machinery of a state and could organize and run a great state entirely on gangster principles and methods. Our democratic politicians and diplomats have been helpless in the face of politicians and diplomats who had the same impulses and motives, and who had the same conception about society, convention and decency as common-law gangsters. And yet that is exactly what has happened.

But why did it happen? And how could it happen? The answer lies in the fact that we despised force, we misunderstood force, we excluded force as an instrument of democratic policy. So the enemies of democracy used force—nothing but force! We did not want law with force; just rules with goodwill. So now we have to reckon with force without law.

As long as we identify force and the use of force with war, and believe that peace is merely a period without the use of force, we shall never have peace and will always be the victims of force.

THE MOSCOW CONFERENCE ¹

The attention of the [Moscow] Conference was centered upon the task of making sure that the nations upon whose armed forces and civilian efforts rests the main responsibility for defeating the enemy will, along with other peacefully minded nations, continue to perform their full part in solving the numerous and vexatious problems of the future. From the outset, the dominant thought at the Conference was that, after the attainment of victory, cooperation among peace-loving nations in support of certain paramount mutual interests will be almost as compelling in importance and necessity as it is today in support of the war effort.

At the end of the war, each of the United Nations and each of the nations associated with them will have the same common

¹ From address by Cordell Hull, Secretary of State, before a joint meeting of both houses of Congress, November 18, 1943. Department of State. Publication 2027. p. 3-6.

interest in national security, in world order under law, in peace, in the full promotion of the political, economic, and social welfare of their respective peoples—in the principles and spirit of the Atlantic Charter and the Declaration by United Nations. The future of these indispensable common interests depends absolutely upon international cooperation. Hence, each nation's own primary interest requires it to cooperate with the others.

These considerations led the Moscow Conference to adopt the four-nation declaration with which you are all familiar. I should like to comment briefly on its main provisions.

In that document, it was jointly declared by the United States, Great Britain, the Soviet Union, and China "That their united action, pledged for the prosecution of the war against their respective enemies, will be continued for the organization and maintenance of peace and security."

To this end, the four governments declared that they "recognize the necessity of establishing at the earliest practicable date a general international organization, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small." I should like to lay particular stress on this provision of the declaration. The principle of sovereign equality of all peace-loving states, irrespective of size and strength, as partners in a future system of general security will be the foundation stone upon which the future international organization will be constructed.

The adoption of this principle was particularly welcome to us. Nowhere has the conception of sovereign equality been applied more widely in recent years than in the American family of nations, whose contribution to the common effort in wartime will now be followed by representation in building the institutions of peace.

The four governments further agreed that, pending the inauguration in this manner of a permanent system of general security, "they will consult with one another and as occasion requires with other members of the United Nations with a view to joint action on behalf of the community of nations" whenever such action may be necessary for the purpose of maintaining international peace and security.

Finally, as an important self-denying ordinance, they declared "That after the termination of hostilities they will not employ their military forces within the territories of other states except for the purposes envisaged in this declaration and after joint consultation."

Through this declaration, the Soviet Union, Great Britain, the United States, and China have laid the foundation for co-operative effort in the postwar world toward enabling all peace-loving nations, large and small, to live in peace and security, to preserve the liberties and rights of civilized existence, and to enjoy expanded opportunities and facilities for economic, social, and spiritual progress. No other important nations anywhere have more in common in the present war or in the peace that is to follow victory over the Axis powers. No one, no two of them can be most effective without the others, in war or in peace.

Each of them had, in the past, relied in varying degrees upon policies of detachment and aloofness. In Moscow, their four governments pledged themselves to carry forward to its fullest development a broad and progressive program of international cooperation. This action was of world-wide importance.

As the provisions of the four-nation declaration are carried into effect, there will no longer be need for spheres of influence, for alliances, for balance of power, or any other of the special arrangements through which, in the unhappy past, the nations strove to safeguard their security or to promote their interests.

THE FIFTH PILLAR OF PEACE^a

A. THE PROBLEM OF ARMAMENTS

1. *The Function of Force in the Maintenance of Peace.*

Perhaps the hardest problem of all is to decide what part force can usefully play in keeping the peace.

As we lead our own individual lives, we see that some force is necessary. Many of us would not have a sense of safety and security unless there were a policeman on call. This is not so

^a Commission to Study the Bases of a Just and Durable Peace. In *Six Pillars of Peace*, p. 59-67, The Commission. Federal Council of the Churches of Christ in America, 297 4th Ave. New York. May 1943.

much true in country areas, but the thickly populated and highly industrialized centers develop "gangsters" who will rob and assault unless there is a policeman handy. In New York City when the war effort interferes with normal police protection and when disorder is stimulated, there is an epidemic of "mugging." Thus our actual experience suggests to us the need of some "police force" to maintain order.

What is not so apparent is that force alone cannot insure peace. We are apt to forget that and to oversimplify the problem of peace by thinking that if only we can have enough force then we will have peace. If we look to Europe today, we will readily see that that is not so. Germany has completely disarmed Belgium, Holland, Norway, Poland and Yugoslavia. This has been done as efficiently as the efficient German machine can do it. And Germany has in each of these countries an overwhelming military force highly armed. But there is no peace. The population is constantly on the attack and Germans are shot, their troop trains are wrecked, their industrial plants are blown up. Why cannot German force assure peace? It is because the people do not like the government that Germany imposes on them. So long as that is so, there can be and will be no peace. No amount of force can assure it.

We can, therefore, draw two conclusions. There must be some force available because there is always the threat of "gangsters." But force alone will not assure peace. In greatest part, peace is achieved by providing a government which the great majority want and accept and which they are prepared to back, if necessary by personally rallying to its support.

This question we are discussing was hotly debated at the time of the adoption of our own Constitution, which left the states with armed forces and made no provision for the Federal Government to impose, by force, its will on the states. Alexander Hamilton, in the *Federalist* (No. 27) said:

It has been urged . . . that a Constitution of the kind proposed . . . cannot operate without the aid of a military force to execute its laws. . . . I believe it may be laid down as a general rule that their (the people's)

confidence in and obedience to a government will commonly be proportioned to the goodness or badness of its administration.

However, he adds:

It must be admitted that there are exceptions to this rule.

So it is that we must, first of all, have some kind of international order that is sufficiently "good" so that the people of the world will in great majority want to see its authority preserved and be prepared to back it with their lives and wealth. That backing is basically moral. But it is potentially more than that because people are usually willing to translate their moral backing into action. Whenever an institution has that kind of support it needs but a small "police force," because the minority know they cannot successfully attack it unless they have great force of their own. But since there is always danger of some who may be willing to attempt this, we need (1) to limit national armament so that ambitious and violent men cannot get hold of a great force to use for their own purposes, and (2) to assure that some "police force" exists that will be quickly available to support the international order by suppressing the "exceptions." This force need not be a big force, if we have an international order that is "good." If it is "bad," then a huge force will be required and probably it will turn out never to be quite big enough.

2. *A Brief Backward Look.* It may help us to deal with the problems posed by this fifth Pillar of Peace if we review briefly certain events of the past twenty-five years. Within this period there has been more talk of disarmament than in any similar period in world history. There has also been within this period more feverish armament than in any similar space of time in the past. How was it that the talk produced so little in the way of results? . . .

To begin with the Treaty of Versailles, it contained certain provisions for the disarming of the defeated nations. Germany, for example, was allowed to retain only a hundred thousand men under arms. She was not permitted to have any military air force, tanks or submarines. All fortifications along the Rhine were to be destroyed and no German forces were ever to be per-

mitted to enter this "demilitarized zone." Initially, these provisions were drastically enforced. Into the Treaty was also written the assurance that the disarmament of Germany was "to render possible the initiation of a general limitation of armaments of all nations" and that the member states of the League of Nations must subscribe to the principle "that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety." On June 16, 1919, M. Clemenceau made the assurance seem doubly sure when he wrote, in a letter to the head of the German delegation at Versailles:

The Allied and Associated Powers wish to make it clear that their requirements in regard to German armaments were not made solely with the object of rendering it impossible for Germany to resume her policy of military aggression. They are also the first steps toward that general reduction and limitation of armaments which they seek to bring about as one of the most fruitful preventives of war, and which it will be one of the first duties of the League of Nations to promote.

These promises (for they were so interpreted by Germany) were not kept. To be sure, the League in 1921, appointed a commission to study the question of reducing armaments. A series of disarmament conferences was held, but they all broke down. A technical difficulty was the tremendous problem in the way of measuring and equating the different types of land armament. The major reason why they failed, however, was because no nation was willing to take the step until its security was guaranteed in some other way. Take the case of France. Four times within a century German armies had crossed the Rhine into French territory, three times they had entered Paris. For France, security meant land armies of sufficient size and strength to be able to hold off a Germany superior in numbers and industrial organization. On this point France was insistent throughout, and in the absence of guarantees of mutual assistance by Great Britain and the United States, she was unwilling to reduce her armaments.

However plausible to the Allies their reasons were for failing to keep their promises, German resentment was bitter. A circle of powerfully armed states surrounded sixty million people

who were permitted an army the size of that of Belgium. It couldn't last. It didn't last. When the disarmament conference broke down, the moral basis for keeping Germany disarmed also broke down, and the former allies winked at Germany's "secret" rearmament. And it could happen again.

The Atlantic Charter is quite clear on the matter of the disarmament of the "aggressor nations." Beyond that it is not so clear. Point 8 states:

They believe that all of the nations of the world, for realistic as well as spiritual reasons must come to the abandonment of the use of force. Since no future peace can be maintained if land, sea or air armaments continue to be employed by nations which threaten, or may threaten, aggression outside of their frontiers, they believe, pending the establishment of a wider and permanent system of general security, that the disarmament of such nations is essential. They will likewise aid and encourage all other practicable measures which will lighten for peace loving peoples the crushing burden of armaments.

With respect to this point, Mr. John Foster Dulles in his comment on the Atlantic Charter says:

Point 8 thus adopts the result of the Versailles Treaty which, while expressing the intention of general disarmament, actually effected disarmament only of the defeated nations.

The future thus envisaged is unsatisfactory. It may be that armament is largely a symptom of international distrust and that the best we can do is to strive to create such confidence in methods other than force as will gradually lead all nations voluntarily to forego armament. But we must realize that unilateral disarmament gives rise to acute moral resentment. Also peace can never be assured merely by seeking to reserve armament exclusively for those nations which are so satisfied that they seek only to maintain the *status quo*. This was the great illusion of Versailles.

3. *A Briefer Forward Look.* The experience of the last twenty-five years should teach an obvious lesson for the future. History indicates that we cannot, as a practical matter, keep some nations disarmed indefinitely while surrounding nations are armed to the hilt. Unless disarmament is more or less general, it will not be humanly possible to enforce it in a particular case. Furthermore, it does not work. For the initially disarmed nation rearms in new ways and devises new types of weapons, while the armed nation keeps its old weapons, which become

obsolete. Who knows what will be the weapons of a next war—perhaps chemicals and poisons and germs? Necessity is the mother of invention and to seek to enforce unilateral disarmament only stimulates resourcefulness in evasion. From our backward look we should be able to see that control of armaments, if it is to be effective, must be on a basis which will make it morally acceptable to all.

B. WHAT CAN WE DO ABOUT IT?

1. *The Negative Aspect.* One reason for the universal control of armaments is to keep something from happening. Specifically, it is to render less likely, if not impossible, the outbreak of another war. As long as nations are allowed to build up such armaments as they, and they alone, think necessary, an obvious threat to peace remains. One nation's security is cause for its neighbor's insecurity. And the possession of ample weapons of war is an added incentive to wage war when a reason—or even an excuse—arises. There is no way of permanently dividing nations between "aggressors" and "non-aggressors." All nations have at times been "aggressors" and might be so again. In this connection it is important to remember that the first breaches of the peace leading up to the present war were made by Japan and Italy who were among the "non-aggressors" of the last war, and as such not subject to any limitation of armaments.

The threat to peace which is involved in the uncontrolled possession of armaments has been well stated by Professor Shotwell in a paper prepared for the Commission to Study the Organization of Peace:

The resort to pacific means for settling disputes can operate well only in an atmosphere of international confidence, and the surest way to destroy confidence is to point guns at one's neighbors. On the other hand, the revision of treaties, the willingness to compromise with those who feel equally strongly on the other side of a question, creates the kind of understanding which tends to make guns relatively less necessary. It is true that the revision of treaties can sometimes be secured by threatening war unless it is granted, but such measures do not secure a permanent lightening of international tension. They tend to make the weaker nation seek through alliances to balance the power that has been

directed against them, and once embarked upon this policy of measuring force with force, the nations that become involved in it tend to concentrate more and more upon the possession of the weapons which may be called into action, and less and less upon the devices for pacific settlement. The progress of science makes this trend all the more disastrous, for the apprehensions created by the development of chemical and industrial warfare reach through the whole body of the nation. Thus the vicious circle ends with the search for security making nations still more insecure.

2. *The Positive Aspect.* The agencies, political and economic, which we discussed in earlier chapters, are essential factors in the creation and maintenance of world order. They are indispensable to having a "good" order that people generally will want to support. But, will they be sufficient in themselves? In a society of relatively perfect people they might be. Ours is not that, nor will it be when this war is over. Furthermore, judging from the experience of the League, any international order will need to be backed up by power, mobilized in its service. Can power be so mobilized in the interest of the international community?

There are not exact precedents to guide us here. The most we can do is to raise questions, and anticipate problems with a view to seeing what might be involved in international control of military establishments everywhere.

a. *The Use of Force in the Transition Period.* By "transition period" is meant the time between the ending of the war and the completion of the peace settlement. There seems to be rather general agreement that such a period will be necessary in order that the settlement itself may not be concluded in the heat of passions bred by the war. But while final questions as to boundaries and the form under which relations with the defeated nations are to be resumed can conceivably wait, some problems cannot wait. Among the latter are the restoration of order, the return of prisoners of war, demobilization of the armed forces, relief of those who have suffered from famine and disease, curbing of the desire for bloody and blind revenge and enforcing justice against actual criminals. While not all of these problems involve the use of force for their solution, some of them undoubtedly will, and the realistic view is that the United

Nations must be prepared to undertake the policing of those areas in which violence is most likely to break out. Secretary of State Cordell Hull has stated this position as follows:

It is . . . clear that, in the process of reestablishing international order, the United Nations must exercise surveillance over aggressor nations until such time as the latter demonstrate their willingness and ability to live at peace with other nations. How long such surveillance will need to continue must depend upon the rapidity with which the peoples of Germany, Japan, Italy and their satellites give convincing proof that they have repudiated and abandoned the monstrous philosophy of superior race and conquest by force, and have embraced loyally the basic principles of peaceful processes. During the formative period of the world organization interruption by these aggressors must of course be rendered impossible.

b. After the Transition Period. Such a system of policing should be thought of as a temporary measure only. Nor is this what is contemplated in the Pillar of Peace we are considering here. Rather, we are concerned with power as it might serve as an arm of some future international organization. An international police force, conceived not as an end in itself, or the sole guarantor of order, but as one among many agencies all under the control of and in the service of international organization, has a function to perform.

Of what would such a police force be composed? Would it be made up of volunteers from all nations or would quotas be levied from the various countries? Who would run it and keep it independent of any national sovereignty? Would it be stationed in strategic areas, capable of being moved swiftly to the scene of any outbreak of violence? Shall we follow the League method, which created moral obligations on member states to put their military forces at the disposal of the International Police? . . .

If we are to rely upon nations responding to such obligations as are expressed in Article 16 of the League Covenant, we must in the first place have some kind of overall organization which *all* the peoples feel is worthy of support and preservation from collapse, even if the particular incident which threatens that collapse seems far removed. History has unfortunately shown that nations will find some excuse for not living up to

onerous obligations unless they think it in their own interest. In the case of the incidents of Manchuria, Ethiopia, and even of Czechoslovakia, most of the countries did not think it worth while to take a responsible part at the risk of being involved in war. The reason why they did not think it worth while was that many of them were not members of the League, and even those who were did not feel that the League system as it had developed had proved so valuable to them that they were justified in taking grave risks in order to preserve its integrity.

Our own history as a nation is a case in point. When the Union was formed, the states insisted on retaining their own armed forces largely as a protection against possible violation of states rights. The Federal Government had little military power. As it turned out, the Federal Government proved so beneficial to the people that, except at one point, they have always been ready in overwhelming majority to put their own forces at the disposal of the Federal Government if ever it were challenged. They were protecting a system of government from which they themselves benefited.

A second point is that all of the people should be part of the system. As will have been seen, Article 16, contemplated primarily economic pressure, and this will often suffice. But economic pressures will not work if there are important nations which are not part of the world system. For then "leaks" develop which make any economic blockade ineffective. If, for example, Italy threatened to breach the peace, as in the case of Ethiopia, no blockade would be effective if countries like Germany or Spain were not a party to it, for they would go on trading with Italy and it would be almost impossible to prevent them from buying elsewhere for trans-shipment to Italy. Precisely such a situation developed in connection with the Ethiopian affair.

3. *This Pillar Needs the Others.* From what has just been said, it will be clear that the control of military establishments (manufacture of munitions, size of armies, navies, air forces, etc.) cannot in itself produce order out of chaos. This Pillar of Peace must stand beside the others. The tangible benefits referred to above will be those deriving from security, economic

opportunity, revision of treaties, freedom of subject peoples, and the protection of civil rights. All the other five pillars must be firm and strong. The structure cannot be supported only by the pillar of force. Only if the other five are effective will force take its proper place—to support a system, and not to suppress an incident which may seem far removed.

While Christians are not all of the same mind regarding the use of force as it is involved in modern warfare, there is little if any dissent from the principle involved in a police force in a local community. Its very presence is often sufficient to discourage lawlessness. It serves best when it has to act least. It is along such lines that force may be brought into the service of the world community.

SHOULD THERE BE AN INTERNATIONAL
ORGANIZATION FOR GENERAL SECURITY
AGAINST MILITARY AGGRESSION, AND
SHOULD THE UNITED STATES
PARTICIPATE IN SUCH AN
ORGANIZATION? ^o

Two recent events have made it seem advisable to bring forward this question now. . . . These events are the introduction on March 16 [1943] of the Ball-Burton-Hatch-Hill Resolution (Senate Res. 114) . . . and the speech of Winston Churchill of March 21, 1943. Both the Resolution, in its fifth clause, and the speech of the British Prime Minister propose the initiation by the United Nations of measures for the establishment of a permanent international organization having power to employ military sanctions to repress aggression. This proposal has thus suddenly become an active and immediate issue of policy, both in the United States and Great Britain. It is an issue upon which most thoughtful men have probably already reached conclusions—but not all of them the same conclusions. For this reason, and because of the immense importance of the interests at stake for America and all nations, and the need for an early clarifica-

^o Universities Committee on Postwar International Problems. Problem 4; analysis part 1 and 2. The Committee, 40 Mt. Vernon Street, Boston, 1943.

tion and crystallization of American public opinion on the question, the fifth provision of the Ball Resolution is submitted at this time for discussion by the groups cooperating in this Committee. Senate Resolution 114, Clause 5, is the proposal of a means to an end.

A. *End sought*: To prevent or suppress "any future attempt at military aggression by any nation."

B. *Means proposed*: An armed force at the disposal of an international organization to be used, if or when necessary, against nations attempting aggression.

The Resolution includes three further proposals amplifying B.

C. That the United States should take the initiative towards the formation of this organization, and that the Senate should now declare, in general terms, its approval of American participation in an organization for realizing the purpose stated by the means proposed.

D. That the international organization for that purpose should initially consist of the United Nations, but with provisions for the subsequent admission of other nations.

E. That the formation of a United Nations organization for this purpose should be begun now, i.e. before the end of the war.

A. DESIRABILITY OF THE END

About this there is so little difference of opinion that the point is perhaps unlikely to give rise to discussion. While a few persons may still be found who urge that an occasional war is a good thing morally, as a means of intensifying the loyalty and sense of community of a people and of evoking heroic qualities which wither away in times of peace, and biologically, as a means of enabling the superior peoples to inherit the earth, it is probable that the immense majority of mankind, after the experience of two World Wars in a quarter of a century, are agreed that freedom from recurrent and ever more destructive wars has become the first prerequisite to all the other external essentials of human well-being and progress.

A question may, however, be asked as to the meaning of the term "military aggression" in the Ball Resolution, Clause 5. There has been much discussion, in sessions of the League of Nations and elsewhere, as to the possibility of defining "aggression." It is here assumed that "military aggression" means any use of military, naval or air forces by a national state against another state or states for any purpose except for the defense of its own territory or ships against armed attack by another state, or in accord with, or for the enforcement of, the decisions of an international body exercising authority under a definite constitution or covenant. If the term is so construed, the prohibition of "military aggression" means that no state, having a dispute with another, shall "take the law into its own hands," however great the legal or moral merits of its cause. Since such prohibition would be of questionable desirability, and is unlikely to be attained, unless there exist recognized and presumably impartial agencies for deciding controversies between states and for enforcing such decisions, the purpose of preventing military aggression appears to be inseparable from the purpose of providing suitable machinery for the impartial pacific settlement of international disputes and for ensuring the acceptance of these settlements; and Clause 4 of the Resolution includes the maintenance of machinery for the former purpose (though not explicitly for the latter) among the functions of the international organization which is proposed. Since all international wars begin with acts of aggression (in the sense defined), the *prevention* of aggressions would be equivalent to the prevention of war. If prevention fails, the *suppression* of attempted aggressions by military force, under an international organization, would be equivalent to war. In such war a larger number of states would probably be involved than if no such organization existed, but the likelihood of success in any single aggression, or of the repetition of a series of them (such as those of Japan, Italy and Germany in 1932-1941), would be proportionately decreased or wholly excluded.

The end aimed at by the Resolution may, then, be assumed to be one which is generally recognized to be of paramount necessity and urgency—if it is possible to accomplish it. . . .

B. INTERNATIONAL ARMED FORCE AS
A MEANS OF PREVENTIVE WAR¹⁰

Before a reasoned decision as to the wisdom of adopting this means to the desired end can be reached, three questions obviously must be considered and answered:

I. Can the end sought be effectually realized by other means, i.e., without provision of an armed force to be used, under the decisions of an international body, against aggressors?

II. Is the maintenance of such an international armed force a means which would, or under specifiable conditions could, serve to realize the end sought?

III. Would the adoption of this means give rise to incidental disadvantages or dangers; and if so, would these be greater than the evils which it is designed to prevent?

Question I. Are there other effective means of preventing war?

Since war has been a perpetually recurrent phenomenon in human life, it must be assumed that it will continue to be so unless or until means for preventing it are devised and employed which have not already been unsuccessfully tried under conditions similar to those to be expected in the future. Any judgment as to the probable effectiveness of proposed means of prevention must rest, first of all, upon assumptions as to how far past conditions, that have rendered previous efforts to prevent wars ineffectual, will continue, and how far a change in those conditions may be reasonably anticipated. As probable assumptions the following are suggested: (i) Some nations, or their governments, will, as in the past, attempt to accomplish desired ends by the use of force against other nations, if and when they believe they can do so with success and impunity. The general and early disappearance of all the motives hitherto leading to war cannot be assumed. But, (ii) where there is no prospect of success, such attempts will not be made, since no

¹⁰ The term "international armed force" is hereafter used, for brevity, to mean any force placed by agreement at the disposal of a continuing international body for use, when needed, against states declared by that body to be attempting aggressions, whether the force consist of the several national forces of the member states, or of a separate "international police force" of composite nationality, recruited, armed and directly controlled by the international body, or of some combination of these.

government starts a war which it expects to lose. (iii) The majority of nations and governments are now and, after the present conflict ends, will be, chiefly desirous of peace, and recent experience has greatly intensified this desire, and consequently the desire to find and take effectual means of preventing wars. Unless such a change has taken place, *no* plan of prevention can succeed.

The question (B) here under consideration concerns *general* means of prevention, as distinct from means taken by individual states for the sake of their own security against aggression, regardless of whether wars break out between other states. Given the above assumptions (*i*, *ii*, and *iii* in preceding paragraph), can any general means of prevention not involving the maintenance of an international armed force be expected, with any high degree of probability, to be effective? If such alternative means can be found, the establishment of such a force would be unnecessary and undesirable, since in any case its maintenance would be politically difficult, and costly.

Proposed alternative means. Means which have been proposed in the past, and have contemporary advocates, fall into two general classes: 1. Those which presuppose that war can be prevented without provision for the use of any form of coercive force against aggressors. 2. Those which involve the potential use of some form of force, but without the creation of a permanent representative international organization authorized to determine when aggressions are being attempted and to employ military force against the aggressors. It is suggested that the question should be asked concerning each of these whether it has been tried and failed in the past, and if so, whether there is reason to believe that, in the near future, conditions will have so changed that it may hereafter be expected to be *sufficient* for the purpose of preventing wars or reducing them to the lowest possible minimum.

1. Of the first class there are three principal types: (a) the use of purely "moral sanctions"; (b) agreements for the limitation of armaments, without means for enforcing such agreements; (c) provision of permanent machinery for the peaceful adjustment of international disputes:

a. *Moral sanctions.* By "moral sanctions" is meant the influence which may be exercised upon the behavior of men by the known and expressed approval or disapproval of other men, and especially by the general judgment of the group or community to which they belong. It is pointed out by some that this factor plays a great part, and a greater part than fear of the policeman, in restraining the latent antisocial propensities of individuals; and it is inferred that it may be relied upon to restrain the tendency of peoples and governments to seek to realize their desires or ambitions by violence. To make it fully effective, however (it is suggested), it needs an organ of expression, i.e. an international body capable of speaking for the great majority of peoples in condemnation of lawless acts on the part of any single state. Fear of the general censure of mankind, thus authoritatively expressed, will suffice to prevent such acts. Against this belief it is argued, first, that this means has been tried and has failed—the League of Nations solemnly condemned certain aggressions by Japan and Italy without any observable restraining effect upon the behavior of those states, and the Kellogg-Briand Pact, which relied wholly upon moral sanctions, proved completely futile; second, that it is, in general, psychologically false that social groups, and especially nations, are affected by the disapproval or censure of other groups or peoples in the way, and to the degree, that the average individual is affected by the adverse judgment of the members of his group; third, that, even in the community of individuals, it is generally held to be impossible to maintain sufficient order without the potential exercise of the police power of the state, and that the behavior of the collective entities called nations naturally is, and always has been, more self-centered and lawless than that of the individuals composing them.

b. *Disarmament.* It has often been pointed out that voluntary agreements for the quantitative and qualitative limitation of armaments would, if kept, at least limit the destructiveness of war; it has sometimes been held that qualitative limitation (prohibition of manufacture of "offensive" weapons) could be carried to the point of making aggressions virtually impossible. While all attempts to bring about agreements for limitation in

any substantial measure have hitherto failed, it may perhaps be argued that, assuming that the majority of nations now intensely desire peace (assumption *iii*, above), such attempts can be renewed after this war with reasonable hope of success. Critics of this program say that the question is whether the agreements, if made, will be kept by all parties to them—which, if assumption *i* is true, they will not be, unless their observance is enforced; that the only suitable and effective agency for their enforcement would be an international organization having a military force at its disposal; and that, so long as unenforceable, they serve only to put peaceable and treaty-keeping nations at the mercy of aggressor states which have secretly or openly re-armed in disregard of their agreements.

c. *Machinery for pacific settlement.* Permanent agencies for the pacific settlement of disputes or conflicts between states, by conciliation, legal adjudication, arbitration, or conciliar decision, would manifestly prevent all wars, upon two conditions: that all states would refer all their claims or grievances to such agencies for settlement, and that the losers would in all cases comply in good faith with the decisions. Those who regard this means as insufficient (though necessary) observe that neither condition can be expected to be fulfilled, unless made compulsory; that compulsion could properly and effectively be applied only by a representative international body having a military force at its disposal for use in extreme cases; and that all possible types of such agencies existed between 1920-1939, so that their insufficiency, when unsupported by military sanctions, has been experimentally demonstrated.

2. The second class of proposed means of preventing wars rest upon the assumptions (*i* and *ii*, above) that some powerful states will in the future, as in the past, from time to time seek to realize their desires or ambitions by war, if they believe they can do so with success and impunity, but that they will not do so if they see no reasonable prospect of success. Upon this view, peace will endure so long, and only so long, as the government of any state tempted to aggression knows *in advance* that that enterprise is too hazardous to be undertaken. But the types of plan here in question assume further that this effect can be pro-

duced without the establishment of an international armed force (in the sense defined). The principal alternative means proposed are: (a) maintenance of a "balance of power"; (b) special alliances for mutual defense; (c) economic sanctions decreed and directed by a continuing international organization. The two former do not presuppose the existence of any representative international organization as an agency for deciding when aggressions occur; while the third presupposes this, it excludes the use of military sanctions by that organization.

All of these have already been actually tried, and the historical results are well known. Of *a* and *b* it may perhaps be said, without much dissent, that they (especially *a*) have sometimes served to *defer*, for longer or shorter periods, wars which would otherwise have broken out, but that they have never been effectual for preventing the frequent recurrence of war. On *c*, which has been tried only once, some less summary comment may be desirable.

c. Economic sanctions. Belief in the possible sufficiency of economic sanctions rests upon the following considerations. Because of the increasing economic interdependence of nations, a country cannot long maintain its industrial production and cannot carry on modern war successfully without the use of manufactures, foodstuffs and/or raw materials which it does not itself produce or possess. Therefore, if a sufficient number of peace-desiring nations are willing to stand together in refusing to export their products to any country declared by a representative international body to be committing, or threatening to commit, an aggression, the aggression will be predestined to failure; it will therefore either not be attempted, or, if attempted, will be suppressed without war. The failure of the one attempt to apply economic sanctions (by the League of Nations against Italy in 1935) was due to the fact that a sufficient number of member states were not then willing to carry the program through. But if it is assumed (as above, *iii*) that the majority of nations are now earnestly desirous of maintaining peace, and ready to make some sacrifices for that purpose, economic sanctions can in the future be sufficient to prevent war, and an international armed force will not be necessary. Against this conclusion two prin-

principal objections are advanced. First, a country bent upon aggression can accumulate in advance sufficient materials for a war of some years' duration, and a powerful aggressor state may be able to accomplish its purpose before its accumulated stock is exhausted. Second, a state which has begun aggression will, if necessary, use military force against states—especially against weak neighboring states—from which it can obtain the materials it lacks (e.g., Japan against the Netherlands Indies, etc., in 1941). A major cause of the failure of the League's economic sanctions in 1935 was that Great Britain feared naval attack from Italy in the Mediterranean if the sanctions were persisted in, and was not then ready to face this risk. Economic sanctions applied against states strong both in economic and military resources are more likely to cause wars than to prevent them, unless the nations, or international organization, applying them are willing and able to back them up, at need, with military sanctions.

Question II. Can an international armed force be an effective means for preventing war?

An international armed force is conceived by those who advocate it as potentially serving two purposes: first, to *prevent* "attempts at military aggression by any nation"; second, if such attempts occur, to come to the support of the nations attacked and ensure the defeat of the aggressor. Only in so far as it accomplishes the first can such a force be an effective means to lasting peace. Belief in its necessity and probable sufficiency for this purpose rests upon two assumptions above stated, viz., *i.*, that some nations will continue to seek to attain their ends by violence, if they see a good prospect of success in doing so, but, *ii.*, not otherwise. The object for which such a force is primarily proposed will therefore be realized only if the existence of the force has a decisive deterrent effect upon potential aggressors. This effect can be produced only upon certain conditions, which are of three sorts: (a) psychological; (b) constitutional; (c) military. (a) It must be certain, or highly probable, in advance that the force will be actually used whenever aggressions occur; but there can be no such certainty unless there exist in peoples and their governments a state of mind which has never hitherto existed. What is necessary is that a

sufficient number of nations, capable jointly of furnishing from their nationals a military force preponderant over that of any probable aggressor state, shall not only be, *i.*, genuinely desirous of peace, but also be willing, *ii.*, to cooperate in good faith in providing men and armaments for such a force, and, *iii.*, to have the force—including the part of it which each of them must supply—called promptly into action whenever any aggression is attempted, and, *iv.*, to accept the limitations upon their own freedom of military organization and action necessary to give adequate powers to the international authority to enforce peace. The first of these prerequisites existed in the period 1920-1939; a majority of nations, possessing potentially preponderant military power, genuinely desired peace. The other three prerequisites did not exist, and the provision for the use of military sanctions in the League of Nations Covenant (Art. 16, par. 2) was consequently never invoked, though flagrant aggressions repeatedly occurred. Unless it can be assumed that the experiences of the last two decades have brought about the state of mind then lacking, or that it can be created by educational means, an international armed force, if established, can not be expected to accomplish the end for which it is designed. (b) Its establishment, however, would—with one proviso—help to create the psychological conditions necessary for its effectiveness. The proviso is that, in the constitution or covenant of the international organization, member states should accept an explicit contractual and moral obligation to support, in its governing body, military action against any states found to be attempting aggression, and themselves to provide such forces as that body may declare to be needed in any such contingency. This proviso was not satisfied by Art. 16, par. 2, of the League Covenant, which, though it imposed upon the Council the duty to make recommendations to—or, as it was later construed in an “interpretative resolution,” to “invite”—member states to supply forces to repress aggressions, imposed upon those states no contractual obligation to comply with any such recommendations, if they had been made. (c) Even if these psychological and constitutional conditions were realized, the deterrent effect of the existence of the international armed force would be proportional to its manifest

military efficiency. Various alternative detailed plans relating to this—i.e. to the size, composition and recruitment, armament and mode of control, of the international force—will be outlined and examined in a subsequent analysis.

Question III. Would the establishment of an international armed force give rise to disadvantages or dangers greater than those which it is designed to prevent?

This question becomes pertinent only if [Question] I is answered in the negative and II in the affirmative; i.e., if it is held that there are no other means of preventing wars, and that an international armed force would be effective for that purpose, or at the least would reduce the frequency, duration, and destructive effects of war to the lowest possible minimum. If these two propositions are accepted, it may still be asked whether the placing of such a force at the disposal of a permanent international organization would entail consequences more harmful to mankind, morally and physically, than the periodic recurrence of wars which, with the progress of technology, will be far more destructive of life, wealth, social order, and the essentials of civilized existence, than those which the present generation has experienced.

To many, the statement of this question is tantamount to an answer to it. Nevertheless, the establishment of an international organization for the enforcement of peace is often opposed, not on the ground that it would be ineffectual, but on the ground that it would have certain collateral bad effects—which, it is implied, would be worse than the wars which it might prevent. The principal objections of this type to the proposal are four: 1. It would require the sacrifice of sovereignty by national states. 2. The international military force might become so powerful as to threaten the security of national states or override the international civil authority. 3. Some states might gain control of the international organization and use it for their own purposes, against the interests of other states. 4. The tendency of an international authority having power to enforce its decisions would be to maintain a rigid *status quo* and thus to prevent changes required by altered circumstances in the interest of international justice.

1. *Sacrifice of sovereignty.* The abstract and ill-defined term "sovereignty" cannot be profitably used in the discussion of any practical problem. If "sovereignty" means the freedom of any state at any time to act as it sees fit, all treaties, alliances, or agreements for international cooperation for any purpose, constitute a voluntary acceptance by the states concerned of a partial limitation of sovereignty. If such limitation enables a state accepting it to gain some greater benefit which it would otherwise lose, its rejection would obviously be an act of folly. The question is always one of specific profit or loss. But those who advance the present objection to the proposal under discussion are, in fact, usually concerned, not about "sovereignty" in the abstract, but about a more concrete issue. If, they point out, the international armed force were composed of the armies, navies and air forces of the member states, these national troops would—if the international force is to be effective—(a) be subject to being called into action by the international body, and (b) at least when in active service would be under the orders of commanders chosen by that body. But (it is urged) a national state should not relinquish the control of its own military forces to any external authority. To this argument supporters of the proposal offer the following replies:

a. The power of the international body to call the forces of member states into action should and can be limited, by its constitution, to the purpose of repressing aggressions. . . . If the international body should attempt to exceed its constitutionally limited power, member states would always be free to refuse to contribute contingents to the international force. But it is to the interest of all states that aggressions should be prevented (which is possible only through the existence of an international armed force), or, if attempted, should be promptly suppressed. A state refusing to cooperate in an organization for this specific and limited purpose would therefore be acting against one of its most vital interests.

b. Troops of national states have often served under commanders of other nationality. American forces are now under the command of British generals or admirals, British and French

under American. No danger to the countries concerned has ever resulted from this.

2. *Danger of domination by the international force.* This objection is pertinent to a different type of international force from that to which the preceding (1) relates—viz., a separate "international police force" of composite nationality, whose personnel would be recruited directly by, and owe military obedience exclusively to, an international authority, and which would have exclusive possession and use of "heavy weapons," i.e. military airplanes, tanks, heavy artillery, and capital ships. Since national states would thus have no weapons capable of aggressive use, the international force need not be an extremely large one; but, it is observed, it would nevertheless have military power overwhelmingly superior to that of any or all states. Ambitious commanders of it might, in the course of time, seek to use this power for their own purposes, and the history of the later Roman Empire would be repeated—a world ruled by an army.

Those who advocate the other type of international force—i.e., one composed of contingents or quotas contributed by states from their own national forces—sometimes do so because they regard this objection to the plan of a denationalized world-police as insuperable. Those who do not so regard it make the following replies to the objection:

a. The personnel of the force (with the exception of officers) should be enlisted for a brief term (e.g., three years), and be drawn from nationals of many countries, care being taken to prevent an undue preponderance of any one nationality. It is highly improbable that such a personnel would start or support attacks upon their several countries of origin and future citizenship, or other violations of the constitution of the international organization to which they would have sworn obedience while in service.

b. The personnel could and should be selectively recruited from young men of superior character and ability, induced to enlist not only by substantial pay but also by educational advantages offered them, especially in engineering and aviation, and constantly trained to regard themselves as the guardians of world

peace. The force could thus be also a sort of international university, or group of universities, whose responsible function in relation to international order would increase the attraction of membership in it to an elite among the youth of all countries.

c. Units of the force would be situated in widely separated parts of the world, under different local commanders of diverse nationality. Concerted action of such units to coerce or override the international civil authority would be improbable and scarcely possible.

d. The central command of the force would be appointed and be removable by the international council, or by a commission elected by it; and this civilian body alone would be empowered to call the force into action.

Proponents of an international police force (in the sense in which the term is here used) conclude that, under the conditions specified, such a force could be no more dangerous to the international community and its member states than the citizen armies or the constabularies of modern states are to their respective national communities—and, indeed, since no nationalistic and militaristic sentiment would attach to it, could not give rise to certain evils which national armies sometimes produce in their own countries; while its existence would remove the perennial danger to all peoples arising from the possible aggressive use of the armies of other nations.

3. *Danger of control of the international organization by a limited group of powers for their own interests.* The creation of an international organization, it is argued, would afford no assurance that the governments of some member states would not continue to play power politics for their own ends in its governing body. Some bloc of states could gain control of this body, and thereby be able to use the international force for purposes inimical to the interests of other states. To this it is replied:

The constitution of the international organization can and should provide that decisions of its governing body shall require (at least) a majority vote of representatives of member states. There is no likelihood that a majority will ever vote to authorize the use of the international force for any purpose contrary to

that to which its use is constitutionally limited, viz. the enforcement of peace by the repression of attempts at aggression; for this will always be a primary interest of the majority of nations, which would manifestly be endangered by any toleration of the practice of employing the international force for other, unconstitutional and aggressive purposes. The objection, in short, assumes that a small group will be able to use the organization for ends to which the majority will certainly be opposed—i.e., all the small nations, and among the great powers, at least the nations of the British Commonwealth and the United States (if a member). The real danger is that a small group of states, of formidable military strength, will (as in the 1930's) form a bloc, *outside* of the international body, to gain their own ends by force. This danger can be averted only if the peace-desiring majority of nations maintain jointly—as it is within their power to maintain—and are known to be ready to use, an armed force of such manifestly preponderant strength that no such bloc can hope to succeed in its designs.

4. *Danger of obstruction of necessary change.* This objection rests upon an assumption opposite to that underlying 3. The proposed international organization, it is assumed, would consistently act for the maintenance of peace, and, with an adequate armed force at its disposal, would be able to realize that end. But peace is a static condition, and the tendency of an organization devoted to ensuring it will be to keep things as they are. Life, however, is not static, but is a process of constant readjustment to changing conditions. Peoples outgrow their territories; new discoveries or inventions beget new economic needs or desires, satisfaction of which may, for a given people, depend upon the action of foreign states; social groups previously weak and relatively unprivileged become strong and demand larger opportunities and power. In so far as it is powerful, and in so far as nations satisfied with their own circumstances and possessions have the chief voice in its councils, an international association to enforce peace will be likely to make for the perpetuation of conditions no longer adapted to new situations. To this, advocates of such an association reply that the only question is whether changes, which will indubi-

tably be necessary and indubitably be made, are to be brought about by war or by peaceful methods. If there is no international agency for the enforcement of peace, powerful nations dissatisfied with the status quo—desiring to enlarge their boundaries, improve their economic position, or extend their power—will continue to attempt to do so by making war; small nations will, of course, whatever disadvantages they may suffer, have no means either of removing them or of resisting the aggressions of the strong. On the other hand, a representative international body can provide a tribunal—imperfect, no doubt, as all human institutions are imperfect—to which can be brought the claims of both weak and strong nations for adjustments in their relations to other nations, necessitated by new conditions. There are only two possibilities: the indefinite perpetuation of a reign of international lawlessness, in which changes will, indeed, be frequent, but can and often will be determined by irresponsible force exercised by the strong to gratify their own desires and ambitions; or the establishment of a new international order in which, as in a civil society under a representative government, change will not be precluded, but will in no case be permitted to be effected by the violence of individual members of the community acting as judges in their own cause.

C. INITIATIVE

Should the United States participate in the proposed international organization, and should the Senate now declare, in general terms, its approval of such participation?

If Question I or III is answered in the affirmative, or II in the negative, the present question does not arise for discussion. If, on the other hand, it is held that, for most nations, freedom from war has become an imperative need, that no means not including the establishment of an international armed force can be effective for that purpose, that such a force could, under specifiable and realizable conditions, be an effective means, and that its existence would be attended by no evils greater than those of perpetually recurrent war—the question may still be asked whether the situation of the United States is so excep-

tional that membership in an international organization for the enforcement of peace would be contrary to its national interests.

The American interests chiefly pertinent to this question are: 1. Security against military aggression and freedom from involvement in war. 2. Freedom from the necessity of maintaining a large standing army. 3. Maintenance of civil liberties and democratic political institutions, and of conditions under which our American economic system can operate and our prosperity and standard of living be safeguarded and advanced. The view of some opponents of American participation in any international organization for the enforcement of peace is that none of these interests can be endangered or seriously injured by the occurrence of wars in other parts of the world, however frequent, however widespread, whatever the issues at stake in them, and whatever their outcome; and that, on the contrary, at least the first of these interests would be endangered by participation in such an organization. The view of the advocates of participation is that a continuance of international anarchy, such as has prevailed in the past and has reached its culmination in the present century, would place all of these American interests in jeopardy; that this anarchy will inevitably continue, so long as the maintenance of law and order among nations is not supported by adequate force; and that, therefore, the first interest of the United States, as of other countries, is the establishment of a lasting reign of peace under law.

1. *Security and freedom from war.* That nations in general cannot be secure against aggression without some form of organized cooperation for mutual defense is admitted by some American writers and public men who at the same time hold that the United States is an exception to this rule. They believe that this country in the future will not be—as, in the past, it would not have been—in any danger of attack, if it maintains strict neutrality in all wars in which other countries become involved, or, at least, in all originating in the Eastern Hemisphere. Two propositions are usually advanced in support of this belief: (a) The remoteness of the United States from both Europe and Asia makes invasion of American territory from those continents a military impossibility. (b) No state outside

of this continent will ever have any aggressive military designs against the United States—as none, for more than a century, has had—and from none in the Western Hemisphere has it anything to fear. This country became involved in the present and the previous World War only because it took sides in conflicts in which, if it had remained neutral, no belligerent would have made war upon it. Japan, it is true, attacked American territory and ships at Pearl Harbor, but it did so because the American government had made clear its determination to assist China and other countries in the Western Pacific in resisting Japanese aggression. The United States is at war with Germany and Italy because for two years it had been serving as the arsenal of Great Britain, providing that country with aid without which it must have been defeated by the Axis powers. Peace and security, it is concluded, can, for the United States, be sufficiently assured simply by keeping rigorously aloof from other people's wars; but through membership in an organization for collective military security it may become involved in wars arising in any part of the world.

Opponents of this way of thinking deny both its premises, and advance further considerations against its conclusion.

a. It is, they maintain, untrue that even the continental United States is any longer immune, solely by reason of distance, from military attack from either Europe or Asia. The development of aviation has brought our East coast within twenty hours of Europe, and Alaska still nearer to parts of Asia; and the range, speed, and carrying capacity of both bombing and transport planes are certain to be greatly increased in the coming decades. The problem of American military security has been completely transformed by these developments, accomplished or predictable. The security of the United States, moreover, means the security of all areas for whose defense it is wholly or partly responsible; these include Hawaii, other islands in the Pacific, the Panama Canal, Cuba, Puerto Rico, and (under the Monroe Doctrine) the whole of Central and South America. For strategic reasons, cooperation in the defense of Canada and Newfoundland, if they were invaded or threatened, would be necessary. None of these areas are geographically beyond the reach

of attack, either by sea or air. It is further observed that, even in the period 1815-1917, the freedom of the United States from involvement in wars originating outside of this hemisphere was not due to the distances separating this country from Europe and Asia, but to political and military causes: viz. (i) that no great power then existed in Asia, and no first class naval power in either of those continents, except Great Britain; (ii) that British foreign policy was, in the interest of a European balance of power, favorable to the Monroe Doctrine, and British governments were (because of the position of Canada and for other reasons) generally averse to conflict with the United States and willing to settle differences by negotiation or arbitration; (iii) that the British navy consequently, while American naval armament was weak, was an important factor in the immunity of the Americas from overseas aggression; and, (iv) that no nations at once powerful and intensely dissatisfied with their territory and status existed. During the present century, at least i and iv have ceased to hold; and (it is asserted) American policy cannot be safely based upon the assumption that they will hold in the future.

b. The proposition that no country will in the future have designs against any territory or any interests which the United States will (in a world in which no system of collective security exists) be bound to defend by its own arms is, in the opinion of the opponents of this view, an example of wishful thinking, supported by a misreading of history. It implies the following specific assumptions, among others: (i) That no nation, or its rulers, will henceforth develop a collective delusion of grandeur, leading it to feel a right and duty to spread its power, its culture or its ideology throughout the world by force. But (it is pointed out) within the present century two great nations have manifested this form of group paranoia, and have consequently launched upon programs of world domination by stages, as threatening eventually to America as to other countries; and this was one of the major causes of the present war and of American involvement in it. The permanent future immunity of all powerful nations from this easily induced disorder of the mass mind is neither certain nor probable. (ii) That, in par-

ticular, no great power will ever be led—either by the preceding motive, or by a desire for *Lebensraum* for its surplus population, or by considerations of military strategy (desire for naval or air bases or raw materials indispensable for military purposes), or by simple dissatisfaction with its comparative area, resources or national wealth, a resentful feeling that it is one of the "have-not" nations—to seek to acquire territory or political control in any part of the Western Hemisphere or in any of the insular possessions or dependencies of the United States. There is adequate evidence that Germany and Japan, before the present war began, cherished such designs and were taking vigorous measures to realize them; and, as the world grows smaller and the populations of parts of it larger, attempts (not necessarily by the same nations) to carry out similar designs by force, and therefore the danger of America's involvement in war, will become more rather than less probable, unless it is made certain in advance that such attempts will be resisted by a decisively preponderant force. (iii) That no country in the Western Hemisphere, outside the United States, will, from any cause, ever become involved in war with any non-American country, with such danger of defeat and conquest that, if the Monroe Doctrine is to be supported, American intervention will become necessary. (iv) That, in the course of wars between other countries, American merchant ships will never be attacked on the high seas by any belligerent, though they were repeatedly so attacked in 1915-17, even when plying to neutral ports.

Since—it is argued by the supporters of American participation—all four of these assumptions are unwarranted, the United States cannot insure its own peace and security simply by remaining neutral in all conflicts in which other countries become involved. It has therefore the same interests as all other nations in the establishment of a general system for the safeguarding of peace by the only means which can be effective for that purpose.

2. *Freedom from necessity of a standing army.* Advocates of American participation further maintain that since (for the reasons above given) the United States will in the future have no assurance of immunity from war, it will (in the light of

recent experience) be compelled to maintain a great standing conscript army and navy, if its security is to depend wholly upon its own armaments. This necessity cannot be averted simply by the unilateral disarmament of the defeated Axis powers, for the quarter from which danger will arise in the future cannot be predicted. Few individuals, and no governments, foresaw in the 1920's the aggressions of Japan and Germany in the period 1932-1941. But if a well devised system of collective security is established, the military forces of all peace-desiring nations—that is, of the majority of nations—will be available for the defense of each, and competition (otherwise inevitable) in the building of ever greater and more costly national armaments will cease. Opponents of American participation urge, in reply, that this country must, in any case, rely upon its own forces for its security, and cannot depend in any degree for its defense upon assurances of military support from any other nation or organization.

3. *Civil liberties and democratic institutions.* A powerful coalition of states set out in the 1930's to abolish civil liberties and democratic forms of government throughout Europe, Asia, part of Africa, and eventually throughout the world, by a combination of intrigue and force. This attempt would probably have succeeded, at least in the Eastern Hemisphere, if the United States had not, before becoming an actual belligerent, given material aid to the free nations engaged in a desperate resistance against it. Those who hold that this country should remain neutral in all conflicts in which American territory is not directly attacked would have permitted this design to succeed in the rest of the world, and would presumably permit it to do so in the future. But, it is argued, neither the political principles and institutions of the United States nor its economic autonomy and prosperity can be secure in a world dominated by a triumphant totalitarianism; and simply to stand by while all other free nations are subjugated one by one is to facilitate or ensure one's own eventual subjugation. Those who accept these last propositions, but nevertheless oppose American participation in the proposed international organization, appear to

hold (*a*) that no similar crusade against free institutions will hereafter be attempted; or (*b*) that if it is, the United States can (as it is now doing) without membership in any permanent association of nations, join other countries in a temporary alliance against the enemies of democracy. The questions arising at this point, therefore, are whether American policy can be safely based upon the assumption that *a* is true; or if not, whether, *b* (the possibility of an eventual uncovenanted cooperation of the United States in resisting the aggressions of anti-democratic states—which did not prevent them in 1935-41) is likely to prevent them in the future, and whether it is more prudent to cooperate in preventing them, or to wait until they have been attempted and appear to be on the point of succeeding and then (as at present) to engage in war to defeat them. . . .

For those who conclude in favor of such [American] participation, the question of timing arises: whether the Senate should now declare, in general terms, its approval of the proposal. The arguments for such a present declaration by the Senate are (*a*) that it will diminish the fear which other governments would otherwise naturally feel (in view of the Senate's rejection of the Treaty of Versailles) that an agreement negotiated by the government of the United States to cooperate in the establishment of an international organization will subsequently be repudiated; (*b*) that it will consequently increase the likelihood that other countries will join in establishing such an organization; (*c*) that it will disentangle this primary issue from the other complex and difficult problems of a future peace conference, and from the diplomatic trading which usually takes place at a conference; (*d*) that the time when Americans and other peoples are most likely to support effective measures for the prevention of future wars is while war is going on, rather than after they have become absorbed in postwar domestic issues and party conflicts. Opposition to an immediate decision of the question is apparently based chiefly on the general ground that the postwar situation is still too unpredictable to make early commitments expedient.

D. INTERNATIONAL ORGANIZATION

If an international organization to enforce peace is to be established, should it consist initially of the United Nations, with provision for the subsequent admission of other countries?

If so constituted, the international organization 1. would not be regional; 2. would not be limited to the great powers; 3. would not be limited to nations having a particular form of government or a common cultural tradition; 4. would not initially include defeated enemy countries. . . .

Should such an association of nations be organized before the end of the war?

The principal considerations pertinent to this question include those indicated above . . . ; it is further pointed out, by those who answer it in the affirmative, that most of the problems of the peace settlement, especially those relating to boundaries and the treatment of defeated countries, will become far easier of solution if a powerful organization pledged to, and effectively planned for, the primary purpose of preventing future aggressions is already in existence before a peace conference assembles.

THE ORGANIZATION OF AN INTERNATIONAL
POLICE FORCE ¹¹I. INTERNATIONAL POLICING AND INTERNATIONAL
ORGANIZATION

The organization of political security presents a dilemma. The world community must have at its disposal force, sufficient and of the proper type to prevent any probable aggression, and yet that force must be so limited and checked that it cannot be used illegally or oppressively. This dilemma can only be solved by a proper distribution of military and political power between states and world institutions and such a distribution depends upon a clear understanding of certain elementary facts about

¹¹ Commission to Study the Organization of Peace. Fourth Report. Part 1, Security and World Organization. p. 23-26. The Commission. 8 W. 40th St. New York, November 1943.

military technology and its relation to political organization and political power.

Warfare through successive periods of history has been a race between offensive and defensive weapons. First one and then the other has predominated. When the offensive has predominated, political units have expanded in size. When the defensive has predominated, political units have tended to disintegrate. Occasionally development of an offensive weapon has been so outstanding as to force a fundamental change in the existing political organization as a whole. One such instance was the invention of gunpowder which contributed greatly to ending the feudal system in Europe. This system, based on the impregnability of the feudal castle, ended when gunpowder made the castle indefensible. This resulted in the formation of principalities and small nation states around those monarchs most efficient in the manufacture of fire arms and the disciplining of troops for their use. Gradually, defenses against fire arms were developed, and in the nineteenth century the military equilibrium was relatively stable, though the offensive power of railroads, steamboats, and telegraphs adapted to war assisted in the unification of Germany, Italy and the United States in the warlike 1860's.

In the warlike second decade of the twentieth century the predominance of the defensive tended toward the disintegration of empires and an increase in the number of states. The balancing position of Britain had been gradually undermined through various naval inventions, particularly the submarine, the rise of democratic control of foreign relations, and the developing of self-government in the dominions, and, finally, the advent of the airplane.

Today the airplane plays a determining role as a new offensive weapon parallel to that of gunpowder half a millennium ago. At the same time radio is no less revolutionary in its effects than was printing in the earlier period. Furthermore, biological, psychological and sociological research has extended the conception of human nature in our time as geographical and astronomical discoveries extended the conception of the universe during the Renaissance. We must anticipate a change

in the structure of world politics as important as that which accompanied the earlier inventions.

Germany made a bid for domination in World War I. The airplane was used chiefly as "the eyes of the army." Bombing from the air was relatively ineffective. However, the potentialities of the airplane were recognized by some, notably by Germany. Under Hitler, Germany made another bid for domination, this time through the ruthless use of airpower. It nearly succeeded because of the slowness of the peaceful powers in appreciating these facts.

The course of World War II has demonstrated that the airplane will emerge as a controlling element in warfare, not only in augmenting the power of land and sea forces, but even more in providing a striking power of its own, far superior to anything previously developed. The war has also demonstrated that with the advent of airpower a small state cannot defend itself with its own resources. It is in a position analogous to that of the feudal castle after the advent of efficient artillery. No longer can it hold out sufficiently long for its allies to come to its aid. With the tremendous industrial development necessary to supply the large numbers of aircraft used in modern war, only highly industrialized countries can wage effective war. It is probable that after the war the United States, Great Britain, and the Soviet Union will have a virtual monopoly of airplane manufacture. But even such countries must prepare a long time in advance.

Nations devote 60 per cent of their economy to military production in time of war as compared to 10 per cent a century ago and 5 per cent two centuries ago. Proportionately more time is necessary to convert from peace to war economy. Germany had a four-year head start on her adversaries prior to World War II and nearly achieved victory. If unprepared, it takes a long time to achieve equality, but by virtue of this very fact, it should be easy for an international authority with a mobile police force to maintain control of potential aggressors once that force has achieved military adequacy.

These considerations suggest the probability that the world will move toward the organization of security through a mobile

policing force under the command of authorities responsive to the world community as a whole. However, though the trend of history may be in this direction, such an organization will not spring automatically into being. The ease with which it is achieved will depend upon the efficiency of the planning by the United Nations in the period immediately ahead. In this planning, the role of airpower will undoubtedly occupy an important place.

Proposals for an international force have taken several forms, such as the coordination of national contingents, the integrated international force, the quota international force, and the specialized international force. These proposals should be considered with reference to the dilemma of political security. Which plan will give the world community the maximum power to prevent aggression and the minimum capacity to intervene in the domestic affairs of states? Which will best maintain the middle way between too much and too little centralization?

1. *Coordination of National Contingents.* The national contingent system leaves military forces in the hands of national states but provides for a combined general staff which works out plans for common use and gains their acceptance by national military authorities. The existence of such a staff distinguishes this system from systems of collective security in which the obligations undertaken by states for common action are not implemented by detailed military plans but depend for fulfillment upon political decisions by the governments after emergencies have arisen. Such a system of political collective security may merge into a system of international police by national contingents if plans for common action and authority to activate them in emergencies are worked out in detail. The League of Nations was engaged in a continuous effort to convert the political obligations in Article 16 of the Covenant into an effective system of international police by national contingents, but did not succeed in doing so. The French government, on numerous occasions, urged the expediency of action in this direction. This system tends to be slow and unreliable in action because ultimate control of force is left with the sovereign states. The world

community cannot function unless a sufficient number of governments decide it is in their interests to support it in the emergency.

2. *Integrated International Force.* At the opposite pole from the system of national contingents is the integrated system which would transfer practically all heavy armaments to an internationalized force under direct control of the international authority. Military forces with light equipment and militias might be left with national governments, but all facilities of modern war would be transferred to the world authority. Such a system would tend to convert the world community into a centralized state. Such a unification of military power would tend toward a unification of economic and propaganda power, and of law which might be dangerous to national autonomy and civil liberty.

Between these two, which respectively err on the side of too little and too much centralization, there are many possibilities of distributing different quantities or different types of armament between the nations and the world authority.

3. *Quota International Force.* Quota systems are those which make quantitative distributions, leaving the states with armies, navies and air forces of a prescribed size, but giving the international authority a military force including all types of arms. One such plan suggests that a mobile corps composed of permanently embodied contingents from small states be immediately available to the international authority and that each of the larger states be obliged to support this corps with a contingent of a prescribed size. Experience suggests that any assignment of unequal armament quotas among the powers would arouse resentments because it would appear to perpetuate their relative status. Furthermore it is to be feared that such a system, however careful the quantitative balancing of contingents, could not give adequate consideration to logistic problems and would not assure the world authority the preponderance of force necessary to prevent aggression in every part of the world. Consequently this system, like the system of contingents, would in practice prove to be merely a balance of military power. On the other hand, if all the quotas were thoroughly unified by a common general staff, this system would approach the integrated system with the danger of overcentralization inherent in that system.

4. *Specialized International Force.* Specialized systems are those which give certain types of armament to the world authority, leaving others to the nations. The proposal here supported for an international air force is of this type. Under this system nations would maintain armies and navies reduced in size by disarmament agreements, under obligation to use them only for preservation of domestic order and for the suppression of international aggression. They would also be under obligation to employ economic measures against the aggressor. The international air force, however, would provide a spearpoint immediately available to the world authority and confronting the aggressor the moment his threats or his acts reveal his designs. The eventual support of combined military power of all peace loving people behind this spearpoint would assure defeat for the aggressor if he persisted in his assaults upon the peace. The specialized system, thus, consists in a modification of the system of national contingents through the possession by the world authority of an effective international air force. It produces a proper balance through utilizing knowledge of military technology in its present phase. Invention will continue and maintenance of this balance will require continuous modification of the type of force at the disposal of the world community resulting from study of these changes.

Limitation of national armaments would be both a contribution to, and a consequence of, the establishment of an international police force in which governments had confidence. Experience indicates that disarmament cannot be treated apart from security. If an international air force gives security, the taxpayer's pressure will assure reduction of armament. That pressure should, however, be assisted by carefully worked out plans for reduction of national armaments as confidence in the international security system increases. As indicated in the disarmament conferences themselves "qualitative disarmament," that which minimizes the offensive weapons at the disposal of the states while leaving them defensive equipment, had the greatest promise both of acceptance and effectiveness. The transfer of the major offensive weapon yet developed, the air-

plane, from states to the world community accords with this experience.

II. THE ORGANIZATION OF AN INTERNATIONAL AIR FORCE

Establishment of an international air force will involve consideration of (1) the process of creation after the war; (2) the military organization (recruitment, size, equipment, bases, discipline, command, and finance); (3) the authority to regulate this organization; (4) the circumstances in which the force is to be used; and (5) the authority to decide when these circumstances have arisen and to authorize the use of force. The following discussion of these problems is intended to be suggestive, with full awareness that the details will have to be worked out by statesmen in the light of changing circumstances. The controls suggested would, of course, function within the general international organization whose main institutions have been discussed in the introduction.

1. *Process of Creation.* The international air force might get its start by assembling squadrons ceded to it by the principal United Nations at the conclusion of the war. Such units would wear the United Nations uniform, but in the period immediately after the war, they would remain in the forces of the several United Nations. Presumably the only units of any considerable size would be those from the United States, British Commonwealth countries, and the Soviet Union. As confidence in the international air force increased, national air forces would gradually be reduced until eventually the air forces of individual nations would be completely abandoned. The immediate cession of some air units to constitute the international force would be of great importance. The principal United Nations in making such cessions would not be indulging in excessive acts of faith because they would at first dominate the council which would control the international force. They would, however, initiate a policy which could in time establish an international air force able to prevent aggression.

2. *Military Organization.* After its initiation, the force should be recruited by volunteering. Sufficient volunteers to provide

the necessary air men and ground men ready to swear allegiance to the world organization could undoubtedly be found from among the world's two billion people. It has never been difficult for governments to enlist men in foreign legions, as Lyautey's force in Morocco, and the Abraham Lincoln Brigade in the Spanish Civil War. There are always many men whose love of adventure or idealistic interest will draw them into such a career. Such men have motivations which make it easy for them to be loyal to the international authority irrespective of national origin. There should, however, be regulations such as distribution of men of several nationalities even in the smaller units to assure that such recruits would retain their loyalty to the world order.

The number of men required is difficult to estimate because of the rapid changes in the range and efficiency of military aircraft. Expert estimates indicate that peace could be maintained throughout the world by a force smaller in personnel than the standing army maintained by each of the great European powers before World War I. This estimate is based upon the assumption that national air forces are reduced to a minimum and that the international air force can rely upon support from national military and naval contingents of many countries and upon the application of economic sanctions against the aggressor by most of them.

The basic equipment of the international air force would be bomber and fighter airplanes. Bombers would be for use in carrying out fundamental policing functions, fighters for the protection of the bombers and the bases. In addition the force would have its own large cargo planes for freight and troop carriers, liaison planes, observation and reconnaissance types.

The method for procuring this equipment would be important. The general staff should have a materiel command with its own laboratories, with units to prepare specifications, with a procurement office for purchasing, a proving ground for testing, and an inspection force. The actual manufacture of air craft would be carried out in most cases by private companies located in states designated by the international authority. No particular upper limitation in the number of such states would

need to be imposed. There might, for example, be five manufacturing companies located in five countries for the production of each major type of aircraft. The spread would thus be sufficiently large, so that the danger of monopoly would vanish, and with it the attendant danger that a state with leanings toward aggression would make the international air force impotent by withdrawing from the arrangement.

Aircraft would be selected by means of competitions or progressive development, much as it is done in most of the countries of the world today. Selections would be made according to excellence of design with the exception that regulations would prescribe that a certain number of types and a certain number of models must be produced and acquired from each of the countries designated to build aircraft. The aim would be to prevent monopoly of production of any given type in any one or two countries.

Such a plan would emphasize the benefits of standardization. It might have a tonic effect in bringing countries of the world closer together. The standardization efforts between the United States and England have had such an effect. The common objection that aviators would find it difficult to use products of other countries has been demonstrated to have no foundation in practice. The authorizations for production of aircraft in several states would assist in the solution of the supply problem through stimulating the competitive spirit, but between manufacturing concerns rather than between nations. Problems of manufacture and procurement would present difficulties but apparently not insurmountable ones.

The cession of air bases for use of the international air force would greatly contribute to its effectiveness and would probably be indispensable. These bases would be protected by their own fighting planes, by limited ground forces, and perhaps in some cases by a small force of submarines. Considerations of location, logistics, accessibility, and availability indicate that some fifty bases would be adequate. In addition to operating bases, training bases would be necessary, and these might be located in a number of the states assuring equitable distribution.

The international air force should be brought into action under the sole direction of a general staff responsible to the world authority. It would use the same uniform for its officers and men throughout the world.

The problem of financing the air force is not different from that of financing any international organization. Contributions would be paid by national governments as has been usual in international organizations, but there might also be forms of direct taxes, as, for example, a small percentage of all international postal charges. Fees might also be charged for the use of the internationalized bases by international commercial transport aviation companies.

3. *Regulative Authority.* To establish and maintain the international air force a world conference with limited legislative authority would be necessary. Disciplinary rules, rules of organization, methods of recruitment and enlistment of men and commissioning of officers, rules for the conduct of bases, rules concerning the organization and procedures of military tribunals would be necessary. For this purpose a specialized conference representative of the nations and supervised by the general world assembly might be established. While a power to revise these regulations would have to exist, it is not likely that frequent revision would be necessary.

4. *Circumstances of Use.* Broadly speaking, the international air force should be used for the sole purpose of preventing aggression, that is, to prevent preparation of, threat to use, or actual use of armed force contrary to international obligations. The League of Nations developed a body of law and practice on the subject, and it may be said that the problem of determining aggression did not prove difficult. On each occasion the League members agreed by substantial unanimity on who was the aggressor, but they lacked the embodied force to prevent at least temporary success to the aggressor, and the will to improvise a force which would be adequate. The slowness of the process of economic sanctions as compared to the *blitzkrieg* of the aggressors was an important factor in the League's failure. An international air force able to go into action more rapidly than the forces at the disposal of any aggressor should over-

come this weakness. This is perhaps the major lesson which the experience of the League of Nations has taught.

Critics who have emphasized the difficulty of determining aggression have drawn illustrations from situations in which there were no rules of law forbidding aggression, or if there were vague standards, no procedures for applying them. Under such conditions, it would obviously be impossible to determine aggression.

In the League's experience the best rule for determining aggression was found to lie in the conception of interim orders. Governments suspected of violating disarmament provisions, of threatening war, or of having initiated hostilities actually in progress could be given explicit orders in regard to the conduct of armament factories, the disposal of troops, or the terms of an armistice. If all governments involved in a situation observed these orders there could be no hostilities. Failure of a government to observe them could be easily ascertained by a Commission sent to the spot. Any government which failed to observe such explicit orders would be considered an aggressor.

5. *Authorization of Use.* There must be an authority capable of issuing interim orders, of declaring that aggression has occurred, and of authorizing the use of the international police force rapidly. These functions are executive rather than judicial. It has been held in the United States that the existence of the constitutional circumstances which permit the President to call forth the militia are to be determined by the President himself and not by the courts. The world council in which the representatives of the states of major political importance predominate would seem best adapted to this purpose. As conditions will exist after the war, at least the four great powers, the United States, the United Kingdom, the U.S.S.R. and China should be permanent members of the council. Other states could be added, perhaps by election by the assembly. A member of the council accused of aggression would not vote in its case. Apart from this, unanimity among the permanent members and a majority of the others might be properly required to declare interim orders, to designate the aggressor, and to authorize the employment of the international force. Once authorized, the

utilization of the force would be in the hands of its military command.

III. INTERNATIONAL POLICING AND PUBLIC OPINION

An international air force could not operate in a vacuum. International political institutions to settle international controversies and to adjust international law to changing conditions and concepts of justice would be necessary in order to keep discontents from becoming dangerous. A sufficient sense of world solidarity would have to exist within the populations of all the important countries to enable such institutions to perform their functions. The development of such a world opinion involves all the factors which influence men to give a portion of their loyalty to larger social units. In the past, loyalties have moved from the clan to the tribe, from the feudal lord to the kingdom, from the city to the nation, from the state to the federal union. Numerous economic, social, technical, and other factors have contributed to these transitions. A transition from absolute national citizenship to partial world citizenship is in process in many minds as a consequence of the new means of communication and transport, disseminating universal moral and cultural ideas. Practical devices can assist the transfer of sufficient loyalties to the world order to permit the world authorities to function.

It is not difficult to decide in theory on the basis of geographical, technical and administrative considerations, what legal powers should be given to international institutions. Perhaps in the period after World War II, it will not be too difficult to persuade states to transfer such legal powers to international institutions. It is much more difficult for international institutions to gain sufficient political power, so that in an emergency they can actually exercise their powers. In the past, transfers of political power have usually resulted from military conquest. Undoubtedly, as the psychoanalysts point out, the creation of a new political fact provides an important psychological basis for new loyalties. Students of political power, however, point out that there are other devices which may be utilized effectively

to assist in the transfer of loyalties. The roots of political power can perhaps be discussed in four categories, the power of the sword, the power of the purse, the power of the word, and the power of the law.

1. *Power of the Sword.* The predominant military power of the Big Four after the war can be utilized as a new political fact during the transitional period, which, if rationalized by appropriate symbols, can have a profound effect upon the development of loyalty to the world order. The immediate transfer of some of the predominant airpower of the Big Four in the international air force would be a major factor in effecting this development. Too often, concentration of the power of the sword has been looked upon solely from the point of view of its potentialities for tyranny. Its capacity to broaden the horizons of mankind and to create new attitudes should not be overlooked. Military conquest has too often led to the imposition of a new tyranny but it has sometimes been beneficial in shattering old tyrannies both governmental and ideological.

2. *Power of the Purse.* The power of the purse has often been a counterweight to the power of the sword, as illustrated in the constitutional development of England, particularly during the seventeenth century. The source of financial support for the international air force should be an important check against usurpations by the air force itself, and can also be made use of to create loyalties to the world order. It is for that reason that sources of revenue other than contributions by states, as such, would be desirable. Hamilton's historic recommendation proposing the use of federal taxation and the federal assumption of state debts, in order, among other reasons, to create loyalty to the Union, may be mentioned in this connection.

3. *Power of the Law.* The power of the law can serve both as a check to the power of the sword and the power of the purse, and as an instrument for the broadening of loyalties. In medieval England the king's courts evolved the common law and a national consciousness. In seventeenth century England the courts at times functioned to prevent usurpations by the royal prerogative. In the United States the courts have provided an effective check upon congressional usurpations. While in the

world order the prevention of aggression would have to be left primarily in the hands of an executive council, the influence of the world court in continually developing international law, hewing the line between private rights, national rights and rights of the world order, would do a great deal to maintain confidence that overcentralization would be prevented. A regular judicial procedure and a growing body of precedents would give reality to international law. They might have an influence in diverting loyalties to the world order like that of Marshall's decisions in creating American nationality.

4. *Power of the Word.* The power of the word underlies that of the sword, the purse and the law. Social organization becomes a construction of ideas and symbols in proportion as it becomes large. The village owes its reality in the direct contact of its members, but the world organization exists only as men's minds become habituated to certain ideas and symbols. The propagandist, the educator, the historian and the philosopher all contribute to developing the fundamental assumptions within which the public opinion of a large group develops. The sword is subordinate to public opinion, because it is the opinion of the man who wields the sword which determines the use to which it will be put. Opinion also determines the use of economic resources, and in the long run, the interpretation of the law.

Many practical devices other than education and propaganda can be utilized for moderating the prevailing ideology of nationalism which has divided world public opinion into sixty odd compartments. The internationalization of certain colonial areas, creating a common stake in future resources for all men, is a device similar to that which was utilized in the United States when certain states ceded western claims forming the northwest territory. Emphasis upon human rights in international law would also give a stake to individuals in the world order. The development of political parties cutting across state lines has been suggested by many as a method for creating world consciousness, a method which American historians have said was a major factor preventing sectional conflicts before the Civil War.

CONCLUSION

The distribution of these powers in the world order would have to be worked out in experience and changed with changing conditions. Some power of the sword should be given to the world council controlling the international air force but some of it should remain in the national governments. Some power of the purse should be given to the world assembly, though this power would remain in large part with the national states. The power of law should be exercised, within a limited sphere, by the world court, but the bulk of law making and administering would remain with the nations. A large power of the word would be given to international bodies, particularly to the world assembly which would serve as a sounding board for world opinion, and should be equipped with adequate facilities for transmitting opinion through the radio and the universal right of individuals to listen. National organs of opinion and education should, however, continue to function and to prevent overcentralization in this regard.

While through such devices the world order must be politically strengthened, the initiative of nations should not be destroyed. Progress is a consequence of the contact of different cultures, economies and social experiments. People must preserve sufficient loyalties to their nations to encourage divergencies and experiments. A balance should be maintained between freedom of the individual, freedom of the nation, and freedom of the world order. In such an equilibrium law and opinion would play a part no less important than that of arms and economic controls.

The process of achieving a world order assuring political security must combine force and persuasion. The Big Four must exercise the leadership, justified by their military power and their proportion of the world's population, to initiate these changes. Together, and counting the British Commonwealth as a unit, they constitute two-thirds of the human race.

A series of declarations by these powers, supported by the other United Nations, and later by neutrals and present enemies, should establish the basic principles and institutions. It is im-

portant that such declarations should be made in the name of the world community and should be applicable throughout the community. The problem of security cannot be solved by a contractual society into which states are voted and from which they may withdraw. The law against aggression must apply to all states of the world, and the international police force must be available to prevent aggression anywhere.

The great United Nations will have the power to create this order after the war, but to do so, they must convince the lesser powers and opinions of their own peoples that they act in the common interest. They must exert leadership and gain the acquiescence of nations and peoples to a new world which will preserve the maximum of national independence compatible with security for all, freedom for the individual, and progress for the world.

A STRONGER ASSOCIATION¹²

Between a loose federation, such as the League, and a world state, which we do not discuss, many forms of international organization are conceivable. Those who explore these possibilities hope to find a type of association that will be acceptable to the public and at the same time "stronger" than the League.

In such an association, it may be assumed, provision would be made for real, though limited, legislative, judicial, and executive powers, and for their positive effective exercise. Legislation would be effected by majority vote in the assembly and the council. National representatives in the assembly would be chosen by the various national legislatures. The council would be restricted to persons appointed by the executive departments of great powers. Thus, universality would be retained; equality and unanimity discarded; and representation furthered. Submission of disputes either to arbitration or to political settlement would be compulsory; and nations would bind themselves to accept the award or decision. The executive function would be exercised by the council.

¹² Arthur C. Millsbaugh, Political Scientist. In his *Peace Plans and American Choices*. p. 89-99. Brookings Institution. Washington, D.C., 1942.

The council would not have power, independently of the member nations, to maintain an armed force or to initiate military measures. Nevertheless, the "strengthened" association would be capable of more effective military action than was the League. The council would have its own general staff, which would prepare plans for application of coercive measures. National armaments would be drastically reduced, being fixed by two sets of requirements: those of internal policing and those of international peace and order. The small nations would be restricted to their needs for internal policing. The great powers, in addition, would be permitted and obligated to raise and equip a part of the collective military force. Each of the national contingents would be subject at any time to call by the council. The latter would presumably be authorized, in any case of international disorder or threatened disorder, to delegate the task of keeping the peace to one or more of the nations directly interested. In the Western Hemisphere, for example, the United States, acting with and through its inter-American system, would always bear the primary responsibility. The international force might be mustered, when necessary, for the execution of arbitral awards and judicial decisions.¹²

To prevent national rearmament beyond the limits fixed by the council, the latter would be empowered to license the manufacture of the trade in arms, munitions, and military supplies. In addition, the council would have the right to make inspections and to arrest. War as an instrument of national policy would be prohibited.

This association would rest on a contractual rather than a constitutional basis; but its establishment might require the amendment of some national constitutions including our own. It is not proposed to discard all provisions of the League Covenant. Most of them, with some revision, could be included in the new pact.

Proponents of this stronger type of international association might bring the following propositions to its support:

¹² One alternative to the proposed setup has in view a complete international military establishment created, supported, and exclusively controlled by the international authority. Such a plan, if adopted, would in effect establish a world state. It is, therefore, beyond the scope of the present discussion.

1. Compared with the loose League of Nations, this proposed organization is much tighter and rests on clearer contractual obligations. It involves, however, neither an outright repudiation nor a blanket endorsement of the League.

2. The proposed organization recognizes the essential role of force in the preservation of peace and limits national sovereignty to the greatest extent now practicable. At the same time, the plan intentionally falls short of a world state or supergovernment.

In a recent address, Dr. Hu Shih, the former Chinese Ambassador, referred to

... the deep-rooted prejudice against the use of "force" as the necessary element for the enforcement of peace and order. Because in a civilized society the actual resort to force is reduced to a minimum, the peace-loving and law-abiding citizens tend to lose sight of the important role of force in the maintenance of peace and order. They tend to forget that law, order and peace do not mean the absence of force, but, on the contrary, are always dependent upon some form of effectively organized power for their enforcement against possible violation by determined gangsters.

3. The idea of an international military organization has received many reputable endorsements. In this respect the year 1910 is notable. In May of that year, Theodore Roosevelt in his Nobel address advocated an international league, which should enforce peace, if necessary by military action. In June, the Congress of the United States passed and President Taft signed a resolution proposing to set up a commission to consider the expediency of disarmament and "of constituting the combined navies of the world an international force for the preservation of international peace." In September, a Dutch professor, Van Vollenhoven, argued for an international navy to enforce arbitral awards and protect neutral rights. At the close of the First World War, the French proposal for a league of nations provided for an international general staff with powers of inspection and an international army composed of national contingents. At the present time, the idea has fairly wide support in both Great Britain and the United States. In their agreement of January 23, 1943, the Polish and Czechoslovak governments in exile agreed that the confederation to be formed by the two countries will

have a common general staff and in the event of war a unified supreme command.

4. On various occasions an international force of one sort or another has come into being. International police have functioned in various parts of the world; for example, in the international concessions in China and at Tangier. An international army operated in China at the time of the Boxer uprising in 1900. In the form of coalitions and alliances, military cooperation among nations has frequently been achieved, as in the Napoleonic Wars and the First and Second World Wars. After the First World War, interallied troops were used in the occupation of Germany and other areas. For the settlement of the Vilna dispute between Poland and Lithuania in 1920, the League of Nations took steps to organize an international force; and several countries expressed their willingness to contribute contingents. The plan came to an end when Switzerland refused to permit passage through her territory. The present wartime pooling of resources and of authority is especially significant because it is expected to continue during the armistice period and because at the end of that period the world will be at least half disarmed. It should be the less difficult, therefore, for the United States, Great Britain, Russia, and China to reduce their military establishments and to provide for their future cooperation in an international military force. To this arrangement, France, Germany, Italy, and Japan could be later admitted. Thus, a way is open for the smooth evolution of a really effective international association.

5. This association will have better means than the League of Nations to represent and create public opinion and to enlist the interest and loyalty of peoples. It will not be practicable for members of the assembly to be popularly chosen; but election by the national legislatures will bring the assembly closer to the parties and pressure groups that are represented in the legislatures. The assembly will thus become less diplomatic and more popular.

Through licensing and inspection, contact will be established between the international executive and the individual citizens and corporations of the various states. Branch offices will be

located in the principal industrial areas. People will become habituated to international control.

6. The plan provides so far as may be practicable for a complete and self-acting system. The functions necessary to the maintenance of peace are so related that all must be effectively performed or none of them will be. By discarding the principles of equality and unanimity and by making the assembly more representative, a better chance is offered for international legislation, for the rounding out of the legal order, and for peaceful change. Compulsory judicial settlement of disputes supplies another essential. An executive equipped to decide and to act fulfills a further indispensable condition. These features, following an armistice dictated by nations that are opposed to militarism, will ensure the requisite limitation of armaments and thus further facilitate the task of keeping order. The League of Nations proved that preparation for aggression cannot be stopped by an international debating society composed of pacifist governments.

7. Equipped for prompt and effective action, this association would be formidable enough to deter any potential aggressor. If aggression started, the only obstacle to action would lie in the possibility that the member states might again lack the necessary will, fail to honor their obligations, and refuse to supply their contingents. But this time, it may be confidently expected, neither the public nor governments will forget that force must be unhesitatingly met by force. If this association accepts its first challenge, it is not likely to be challenged again or, if challenged, to be found wanting. Courage comes with proved strength.

8. The plan provides an internally consistent and reasonably adequate method of employing collective power for the prevention of war.

Since war is the ultimate and perfect expression of unlimited national sovereignty, war must be completely outlawed. In the international sphere, only collective authority can be permitted to use force; and it must be used in the international as in the domestic sphere whenever and wherever disorder appears. In practice, the guilty can be detected without great difficulty. The idea will be to eliminate a threat of war at the outset, in the

way a fire department puts out a fire. This proposal does not exclude economic and financial sanctions but holds that they cannot supersede or even precede the employment of armed force. We avoid the term "international police" because to many persons it suggests a regular system of patrolling, the permanent occupation of foreign countries, continual interference in other people's affairs, and keeping American troops in Europe and Asia. The proposal under discussion requires none of these things.

9. The role to be played by the great powers in this plan will contribute strength and decisiveness while respecting the principles of democracy to the extent that these principles can be applied to an international system. An international organization cannot yet be constructed on the same basis as a national organization. States are different from individuals; and the relations of states are different from the relations of individuals. An international organization must reflect the actual distribution of power. In this respect, the claims of the small nations are practically negligible.

Various schemes have been offered for the purpose of making an international assembly proportionally or fairly representative. In any national representative body, however, the nominal or constitutional plan of representation usually bears little resemblance to the actual distribution of leadership and influence. It will be the same in an international body. So in our organization we may permit the small states, for their own reassurance, to form a majority in the assembly, while the great powers control the council; and we may rely with confidence on the leadership and influence of the great powers to prevent a deadlock on any vital question.

Opponents of the "stronger" association outlined at the beginning of this chapter may have something like this to say against the plan:

1. For the purpose of maintaining peace, the proposed organization would actually be no "stronger" than the League of Nations. The League had power enough at its disposal. It always possessed military preponderance. The Covenant did not prohibit or prevent the mobilization of an international force;

and, on occasion, such a force would doubtless have been created and employed, if the necessary will had been in existence.

2. The problems of an international force are political as well as technical. The proposed association would be another framework for back-stage bargaining, balances of power, and imperialisms; but a definite risk lies in the possibility that its military functions may be manipulated in the interest of some dictatorial power like Germany or Japan or a combination of such powers.

3. What nations will make up this tremendously powerful council? Presumably the United States, Great Britain, Germany, Russia, France, Italy, China, and Japan. If France should join Germany, Italy, and Japan, the Council would be evenly divided; but if Russia also should join the former Axis powers, the United States, Great Britain, and China would be in the minority. If, now, Japan should pick a quarrel with the United States, our position, with the united forces of the world moving against us, would be an extremely uncomfortable one. Do Americans relish the idea of being left disarmed and helpless at the mercy of another and cleverer Hitler who has learned how to pull the wires and wear the camouflage of this confederation?

4. Since nations may withdraw from this association, universal membership might be quite as much of a mirage as it was in the case of the League. The new league, like the old, would tend to become one of two hostile combinations.

5. A confederation has never worked efficiently. In America, the Articles of Confederation were unsatisfactory. The German Confederation between 1815 and 1867 proved weak. Since the association, presumably, will have no power to lay and collect taxes, it can be readily starved to death. The organization would not generate a world-wide popular loyalty. Policemen and inspectors are rarely loved. Since its power is susceptible of abuse, the organization would not create a general sense of security.

6. Without having guaranteed security, the association, like the League, would find limitation of armaments impossible. Assuming that a limitation on some basis were agreed to, it could not be enforced. International inspection is likely to be inade-

quate for financial, if not for political, reasons. Inspectors can be hoodwinked. They can also be bribed; and an inspection staff can be "packed." In any case, how can armaments be controlled without a broad control over industry and over trade in raw materials? Is any permanent reduction conceivable without elimination of militarism, militaristic classes, and the military bureaucracy, without a substantial curtailment of national sovereignty, without "moral disarmament" and profound psychological changes?

7. In the absence of real disarmament, the international force would have to be very large, its administration becoming complicated and its operations costly. The technical and strategic questions involved are many, difficult, and without real precedent. If the confederation held command of the air, its task would be easier; but just what threats of international disorder can be handled by an air force? How would it act, for example, when aggression took the form of "fifth-column" subversion? Would international politics or international morals permit the bombing of cities for police purposes? If an air force alone were not sufficient, how effective would be an international army against, say, Great Britain? Russia? Or a modernized, powerful China?

8. The provisions for peaceful change, for legislation, arbitration, and judicial settlement are defective at many points. For example, to include the small nations in the assembly and to exclude them from the council would result at the best in protracted delays and at the worst in absolute paralysis. To take another example, if domestic questions are to be excepted from compulsory international settlement, how are such questions to be defined? Do they include immigration, tariffs, propaganda, etc.?

PEACE AND A SWORD ¹⁴

The best hope for a long period of peace and prosperity lies, paradoxically, in the need confronting every nation, including our own, to prepare to meet the threat of any future war. This is owing to the peculiar nature of modern total war, whose full

¹⁴ By John F. Wharton, Attorney at Law, New York City. *Free World*. 7:157-60. February 1944.

implications no nation, except possibly Russia, seems to have grasped.

To wage modern war at all requires not only an army, navy and air force but also huge industrial and agricultural resources and a citizenry capable of organizing and distributing the products. To wage it with full effectiveness every soldier, sailor and pilot and every civilian must have a background of education and health sufficient to bring out his or her native abilities to the full and to permit him clearly to understand the issues involved. Every citizen must also have had a fair opportunity to earn a living under conditions which will stimulate whatever creative and inventive abilities he may possess. Lastly, industrial resources must be sufficiently decentralized to prevent an initial attack by long-range bombers from paralyzing the machine by destruction of its key centers. Anything less than that is not adequate preparation for the total war of the future.

Let us assume that the nations of the world set out to achieve, each in its own manner, an approximation of such a society at home and also to cooperate with potential allies in achieving the same aim abroad. Then, for the first time in world history, mankind would be actively striving to eliminate some of the causes of war and to promote conditions which make for peace. Great groups of ignorant, ill fed, ill housed people can be the most easily rallied to the support of dictators and war lords. Elimination of these groups would make it infinitely more difficult for the aggressively minded jingos to pursue their careers. And the creation of great groups of intelligent, efficient people, able to buy the products which modern man can turn out in such abundance, would rapidly cut down the number of "have not" nations in the world. It would also stimulate the drive toward national and international cooperation—which are only possible when the vast majority of people are enlightened enough to understand their value and have sufficient leisure to work for their achievement.

Two days after Pearl Harbor we had no capital navy worth the name. Our air force of about sixty four-motored bombers had been largely destroyed. Our army had sufficient ammunition for perhaps a six weeks campaign. It is doubtful whether our

pursuit planes could have stood up against the Zeros. Had the Japanese continued westward in sufficient number they could have bombed our Pacific coast at will, quite possibly invaded and occupied large sections of it. By the following December we had accomplished miracles of production and today our armies are on the offensive everywhere. But two factors stand out sharply.

First, we had to have those twelve months. In the next war we shall not get them. Every aggressor nation has learned that our country must be the first to be attacked and the airplane of the future will make this possible. The initial assault will come, not on Pearl Harbor, but on Washington, Detroit and Pittsburgh.

Second, despite our truly miraculous effort, we could not achieve anything like full efficiency. One million men were rejected by selective service for illiteracy—in a country which complacently believes it has universal free education. The percentage rejected for reasons of health has been estimated from 10 to 30 per cent—in a country boasting of its high standard of living. In the civilian field we find similar glaring defects. Much of our production is still concentrated in areas highly susceptible to bombing. For many crucial items of supply we have today only two suppliers—sometimes only one; half a dozen precision air raids a year ago could have held up our entire plane production for months. On the psychological side there have been some ugly surprises. Hundreds of thousands of coal miners put loyalty to their union leader ahead of loyalty to their country, frankly stating that the union was the only organization which had tried to improve their miserable conditions. Powerful farm groups fought to use the growing food shortage to drive up food prices. In the midst of the most expensive war in history our Congress debated for months the question of how large a tax refund should be given to income tax payers. Many of our people still exhibit suspicion and animosity toward our allies. Any thought that we are waging really total war is truly wishful thinking.

Today we are probably still the world's most effective military power. Our weaknesses are more than offset by our inventiveness and creativeness. Moreover no nation, not even Germany, is organized fully for total war as above described. If, however, we project the picture twenty-five years it is hard to maintain

complacency as to our future position. A comparison with Russia will do, although China with her 400,000,000 people may offer a more striking parallel at that time.

It is estimated that by 1970 we shall have a population of something over 160,000,000; Russia perhaps 250,000,000. Russia has natural resources at least equal to our own. If she follows up her present social and economic plans she will have her full two hundred odd million people, with the best education and physical care a government can give them, ready to exploit those resources to the full. Her industrial machine will be scattered from the Pacific to her western frontier; not even the bombers of 1970 will be able to do more than attack it piecemeal. Her people will be as patriotic as our own, with a far clearer understanding of world issues.

If we continue our present course, over one third of our 160,000,000 people in 1970 will be ill fed, ill housed, sub-standard physically. Our agricultural system might easily be in the grip of a land speculation or a monopolistic fight for higher prices. Our industry might be still concentrated in perfect bombing targets. We shall, perhaps, have ordered a year's military service for all young men, thus putting our military preparedness on a plane about comparable to that of France in the present war. Possibly, although by no means surely, we shall still be the most inventive people on earth. But would even that carry our 100,000,000 efficient people through against Russia's 250,000,000?

The odds would be too great. If, however, we start now to organize our manpower and resources into a fully effective democratic system which allows for the development of initiative and if we cooperate with other nations seeking the same end, then the odds will never be too great.

What is needed to bring about the foregoing? Let us first consider the problem at home. Basically we need an investment in the American people, an investment which will not be self-liquidating but will more than pay for itself. For as our sub-standard classes are brought into the upper groups they will become more efficient producers; the cost of bringing them there will go steadily down; the tax yield can go steadily up.

Universal education should be made a matter of national concern. At present this is left to the individual states, some of which cannot afford the necessary funds. The Federal Government should supplement the budgets of those states to ensure all citizens a decent high school education. All of us recognize education to be a proper function of government. We can no longer afford to have it badly handled anywhere.

Health must likewise be made a matter of national concern. To a large extent this has been left in private hands and, unlike education, powerful groups deny that a universal health program is a proper function of government. No one, however, denies that national defense is a proper function of government; and now that health and defense coincide, opponents must produce their program or give way.

Healthy, educated Americans cannot be bred from a race of slum dwellers. Adequate housing must be provided for the next generation. A national housing program should be, and can be, fitted into the necessary reorganization of our industrial power.

It seems clear that some decentralization of industry is vital for a fully effective national defense. Fortunately today, with few exceptions, manufacturing can be carried on in smaller towns if good roads and an airport are available. Since living communities can be miles from a place of employment there is no longer any need to crowd workers onto the land nearest the groups of city factories. Considerable success has already been achieved in locating factories in farm areas where some of the workers can divide their time between industry and agriculture, thus easing the evil of labor's complete dependence on one type of work. Such a decentralization need not be carried to the point of destroying all benefits of large scale production. But bigness is not of itself a sure path to increased efficiency and some comparatively small units have been among the most efficient suppliers to the current war effort.

Carrying out such a program will go far toward solving the problem of postwar full employment on a rising scale. The development of new communities is one of the basic forces in creating a demand for goods and services and the purchasing power to pay for the items demanded. Moreover, except for

education, very little direct government operation is called for. The government may have to risk making certain guarantees (similar to the Federal Housing Authority's guarantee of mortgages) but in the main the construction, operation and financing can and should be carried out by private enterprise.

Opposition to adequate education, housing and a decent national health program expresses itself in a host of arguments, most of them rationalizations from people wanting to maintain some immediate special privilege. Usually they boil down to the assertion that the cost will bankrupt the country, cause inflation, halt all progress by drying up capital investment. The possible risk may be large (although trifling in comparison with war costs). But when our national security is at stake can we afford not to take the risk? Moreover a refusal to take it would constitute abandonment of one of the fundamental principles which has made our country what it is.

For some hundred and fifty years the American people as a whole took any risk promising a commensurate return. They risked their lives for their independence, risked them again to conquer the west, risked their money in countless new enterprises, poured it into research which might or might not yield results. They admitted aliens from all over the world; gave these people as well as their own free education, free land. They permitted freedom of religion, freedom of enterprise—we are the only great nation on earth which really tries to fight monopoly and give the members of each new generation a chance to build their own business.

In the course of this process countless individuals were killed, financially ruined (perhaps nine out of ten new enterprises and inventions show a total loss to their backers), and all sorts of strange doctrines developed—some wielding immense influence in certain areas. And out of the whole came that amazing stream of initiative and invention which produced, in the mechanical field, the cotton gin, the reaper, the telegraph, telephone, automobile and airplane, and in other fields the public school system, the largest entertainment industry ever seen, modern large scale production, immense charities.

The last detailed studies made of our economic and social systems came to some illuminating generalized conclusions. Out of some thirty million families, averaging about four persons to the family, some eight million had a yearly income of \$750 or less, eleven million had \$1250 or less, ten million (considered "comfortable") had between \$1250 and \$2500; from there up a proportionately few families had incomes which varied from reasonable to staggering figures. Primarily the low income groups have a low income because they are inefficient. The inefficiency results from lack of education, lack of medical care, lack of access to desirable land, with resultant inadequate housing.

If we insist on giving these people the necessary training they could become both our bulwark of security and the greatest of undeveloped markets for our producing genius. Give these twenty million families average incomes of \$3000 and you have \$60,000,000,000 of purchasing power per year. It is here that the key to full employment will be found.

No one nation can police the world; only a cooperative effort will suffice.

Nations can cooperate only if their peoples have objectives which are similar, although not necessarily identical. In time of war this objective is the defeat of the enemy and the objective disappears with victory. Some other objective must be found for postwar cooperation and it must be one coinciding with each nation's domestic policy. It is nonsense, for example, to believe that a nation organizing its domestic economy to secure a world trade monopoly will cooperate with a nation seeking world-wide freedom of opportunity.

Any hope of national security depends on developing a continually rising plane of living for the mass of the people. Foreign relations can help to promote such a rise when people can be taught that it is not conquest of foreign peoples but trade with them which brings this about. Hence domestic and foreign policy coincide when any country sets as its objective a rising plane of living for the masses everywhere, both at home and abroad. It has been noted above how large a market could be developed by increasing the efficiency of our own underprivileged; the possibilities inherent in a world-wide development

along such lines stagger the imagination. This policy must be a United Nations policy. It is based on a principle workable for everyone; the small nation is as necessary to its full effectiveness as the large.

More than this, it is basic to postwar peace that no nation, the United States or any other, seek a goal of autarchic prosperity. Almost automatically such a goal would lead to the erection of tariff walls to protect home industries at the expense of those imports which mean existence for the people of some other land. Eventually nations shut off from markets will choose the risks of war in place of the certainties of poverty or starvation. Similarly, marked inequalities in the levels on which peoples live around the globe can breed only jealousy and strife. A nation bulging with the fat of the earth becomes a natural target for attack. Only as prosperity becomes a universal possession can we expect that peace too will become an attainable expectation.

From the long range point of view the aims of the "idealists" and the "practical statesmen" converge. The hitherto insuperable contradiction between organizing for war and conquest and organizing for peace and commerce can be resolved. Therein lies the best hope of mankind.

THE AMERICAN SENATE AND WORLD PEACE ¹⁵

In the autumn of 1943, as the invasion of Italy brought the war nearer to its end, there was undeniable evidence that the American people desired to participate in a permanent United Nations to keep peace, in an international police force, and in a military alliance with Great Britain. At the same time, there was reason to believe that a considerable section of their representatives in Congress intended to block these aspirations.

In view of these facts it has become imperative to ask whether this republic should tolerate the defeat of the popular will by a minority in the Senate. If this threat to democratic rule is to be forestalled, several questions must be answered. Is

¹⁵ Kenneth W. Colegrove, Professor of Political Science, Northwestern University. From his book *The American Senate and World Peace*. p. 33-4, 45-8. Vanguard Press. New York. 1944.

it possible by amendment of the Constitution to secure a democratic procedure in treaty-making? Can this nation escape from the blight of minority control? Is it possible to prevent a plot by a group of clever Senators to thwart the will of the majority of the people? . . .

In the twentieth century, the United States can only be defended by an alliance, as well as membership in a peace system with law-abiding states. Its membership, moreover, must be active not passive. No member of an effective alliance and peace system can expect to escape the responsibility of giving and accepting commitments backed by force. In its own defense, the United States will have to assume mutual commitments, no matter whether we operate within the Big Three (the United States, Great Britain, Soviet Russia), or the Big Four (the United States, Great Britain, Soviet Russia, and China), or the entire United Nations.

The maintenance of an international police force requires promises from various states regarding the contribution of personnel and war equipment. Persuasion of our own allies, such as Soviet Russia and China, to refrain from the forceful seizure of neighboring lands in Europe and Asia as a means of maintaining their own defense, will needs be purchased at the price of commitments by Britain and the United States. International currency stabilization will necessitate pledges of a financial nature. The opening of the channels of foreign trade will call for economic promises which will be closely related to our political and military commitments.

Commitments, as we have seen, are the essence of any effective peace system. But most Americans are unaware of the doubts which other countries have as to the good faith of the United States in the matter of international commitments. Ignorance of the existence of these apprehensions in no sense diminishes their harm to international cooperation. Most of these doubts stem from the abandonment of the peace system of 1919. Naturally, our associates in World War I, when negotiating the Peace Treaty, were aware of the peculiarities of the American Constitution. But, at the Paris Peace Conference of 1919, momentous decisions, involving compromise and sacri-

fice, could not wait upon the constitutional peculiarities of any signatory power. It was imperative to assume that every state would loyally stand behind the commitments made by its fully accredited representatives. Thus while there was no legal obligation to ratify the peace system of 1919, there was a moral obligation which was stronger than legal bonds. The repudiation of this moral responsibility by the United States was one of the most profound shocks that the family of nations has ever sustained.

The ghost of the American desertion still stalks the foreign offices of our allies in the present war. If a peace system is to be maintained in the future, commitments must be made by every member of the United Nations, not excepting the United States. But will America accept and fulfill her share of responsibilities in the confederation of peace-loving states? This question worries every one of our allies.

An unanswered doubt is present in every decision taken by the British cabinet. Should the British Empire rely upon American assistance in the maintenance of a universal peace system? Or should the Empire, in anticipation of another American desertion, now seek to create a new balance of power both in Europe and in the Far East? The same question confronts Dictator Stalin. Is it wise for Soviet Russia to trust that an American-British-Russian understanding will keep Germany from another invasion of the Ukraine? Or is it wiser to put no trust in international security and to extend Russian boundaries beyond the Baltic states, Poland, and even Rumania as the only means of safeguarding the peace of Soviet Russia? The peace of Europe in the next two decades hangs on Russia's answer to these questions.

Almost identical questions confuse our most patient ally, Generalissimo Chiang Kai-shek and the Chungking Government. The same doubts confuse Frenchmen who are striving for the Fourth Republic. Even our Latin American neighbors are perplexed and troubled.

Obviously, the efficacy of American leadership in the United Nations is impaired by the skepticism of the nations that would like to trust us, but still doubt us. Eventually these misgivings

may destroy the very fabric of the United Nations. Our allies have scanned with some dismay the Congressional election of 1942, when the Democratic Party lost thirty-four seats in the House of Representatives and eight seats in the Senate. This decline in political strength of the Democratic Party was reminiscent of the defeat of Woodrow Wilson in the Congressional election of 1918. If the Roosevelt administration is on the decline and if Congress is in conflict with the President, of what value are American commitments? If the Republican Party, on accession to office, will reverse all policies of the previous administration simply for the sake of partisanship, and if the Democratic Party, when out of power, will oppose the peace efforts of the Republican Party simply for the sake of opposition, what dependence can be put on American commitments?

Our allies in the United Nations would be neglecting their own self-interest if they failed to ponder these questions. As long as treaties negotiated by our representatives can be upset by any undemocratic minority in the Senate, American commitments must always be subject to a discount. Our eighteenth century treaty-making process fails to meet the needs of the position which we desire to hold in a twentieth century world. Constitutional reform thus seems imperative.

THE FETISH OF INTERNATIONALISM ¹⁸

Nothing less than world government will establish world peace, even in the least degree. To make this point, we do not have to describe the precise character of world government and the way in which it will be related to all the levels of local government that must remain. We do not have to choose between the various blueprints for world political organization which have so far been offered. We do not have to defend any of these plans or projects in their institutional details.

As a matter of fact, we are still too remote from the realization of world government to be able to conceive the precise

¹⁸ By Mortimer J. Adler, Professor of Law, University of Chicago. *Common Sense*, 13:15-19, January 1944. Excerpt from his *How to Read a Book*, p. 138-50. Simon and Schuster, New York, 1944.

character of the institutional arrangements. Current plans and blueprints do us a disservice if they distract our attention from the indisputable principles and draw discussion into the area of questionable details.

The argument can be put in a nutshell. Let anyone suppose the maximum extent of political organization short of world government. Let him suppose large regional federations in place of a larger plurality of independent states. Let him even suppose the world divided into two regional federations and, for the purpose of illustration, let us imagine these to be an Atlantic and a Pacific community of federated states.

But one condition remains. Each of these two regional federations retains its external sovereignty. Each is an independent political organization, with its own foreign policy and its diplomats, with its defensive armaments which may have to be used aggressively, with its insistence, by right of sovereignty, that it must decide what is for its own interests.

By performing this experiment in our imagination, we can see that a state of war will not have been abolished. Nor will actual combat be prevented. In this imagined situation, actual warfare may be postponed for a much longer time than it has ever been in the world's history, especially if the two great powers are evenly matched in physical resources, industrial capacity, manpower, and military prowess.

But nothing in the nature of power allows us to suppose that the balance will be forever preserved. In the scales of power, a perfect equilibrium can never be maintained, even if it momentarily happens. Furthermore, other considerations of partisan interest, which weigh heavily in foreign policy, may lead one of the regional federations to take the risks involved in the awful arbitrament of war.

We have seen this happen when a balance of power has been approximated by vast alliances and ententes. Two vaster power blocs in the form of regional federations will not change the picture.

Between a single world government and two regional federations there can be no choice, if world peace is the aim. The person who supposes the contrary confuses peace with truce. The

most enduring truce is not the least degree of peace. Inter-regional warfare would remain as inevitable as international warfare is now.

Even if the imperfect peace established by world government did not preclude certain types of civil strife, the situation would be different. However imperfect, world peace would have had a beginning. Civil strife might interrupt it, but peace, not a truce, would be recovered when it was over; and the civil strife might lead to political improvements and economic reforms, through which a higher degree of peace might be secured.

This line of argument may not satisfy the person who thinks there is an easier way to get world peace. By the maximum degree of political organization short of world government, he does not mean two or more regional federations. He means some form of international organization, such as a reconstituted League of Nations. He means a development of international law, administered through the agency of world courts, and enforced by a cosmopolitan police force.

He may envisage international tribunals as having compulsory jurisdiction over all controversies between nations, not merely those legal issues which nations voluntarily submit to arbitration. He may envisage the police force as having sufficient power to execute international law, and to enforce the judgment of its courts. The police force itself he may conceive as recruited in any number of ways.

The point at issue therefore comes to this. How far can we go in the direction of international organization without setting up world government? How shall we draw the line between world government and any sort of international organization which falls short of it? Will anything short of world government procure world peace, or will it only tend to prolong a truce?

In order to show that nothing less than world government will do, it is necessary to draw the line which divides it from mere internationalism. Until we draw that line sharply, we cannot tell whether or not the objection is based on self-deception. In the various proposals mentioned above, a man may in fact be projecting world government, though he tries to avoid the name. Or he may deceive us and himself by proposing something which

approaches world government and yet is as much a miss as if it were miles away.

To draw the line between world government and all its counterfeits or approximations, we need not consider the institutional details on either side of that line. We can make the distinction by appealing to clear-cut principles.

There is nothing fuzzy or indefinite about these principles, though most of the historic peace plans and a great many contemporary books have tried to evade their implications by fudging the issues. Whether the fudging has been willful or artless self-deception makes no difference. To play fast and loose with these principles ends in contradiction.

Above all, we must defeat the tendency of language to obscure the principles, and to save us from knowing that we have contradicted ourselves. Such words as "nation," "national," and "international" are the worst offenders.

Do we mean the same thing when we speak of international law and of laws to be enacted and enforced by world government? Do we mean the same thing when we speak of regulating international affairs and when, as under the government of the United States, we speak of interstate commerce as subject to federal regulation?

Do we mean the same thing when we speak of the world community as a society of nations or as a society of men belonging to different races or nationalities and living under different local government? Do we mean the same thing when we think of a world-state and of a world-wide federal organization subordinating the politics of local areas?

To determine what our words mean and what our thoughts imply, we must have criteria by which to judge the variety of possible situations with respect to world affairs.

There seem to be only four major possibilities: (1) a plurality of independent, sovereign states which may enter into alliances with one another by treaty; (2) a confederacy or league of independent states which may or may not be supported by alliances; (3) a world community including all peoples under world government, federal in structure; and (4) a world state

which consists of a world community under government that is not federal in structure.

We can omit consideration of regional federations. Either these regional federations will be independent political units, and so will fall into the first or second category; or they will be subordinate parts of a world community, and so will fall into the third category.

No one can confuse the first and the fourth possibilities. A plurality of independent states stands at one extreme. A single world state stands at the other.

The difficult problem concerns the two middle cases. These tend to be confused. Moreover, some form of international confederacy or league of nations is often proposed as a satisfactory substitute for world government, federal or otherwise. It is not satisfactory unless that ersatz peace, a truce, is our only aim.

There is one criterion which, by itself, draws the line between arrangements that can result only in a truce and institutions that can secure peace. That criterion is sovereignty.

If any vestige of external sovereignty remains, if there is any relic of what we call "national independence," then the plan under consideration falls on the truce side of the line. It falls there even if it speaks the language of international law, world courts, and international organization. It might even be said that it falls there precisely because it still retains all the notions connected with internationalism.

Unfortunately, there is much quibbling about sovereignty, and a rampant loose use of the word. This arises from failure to distinguish the internal and external aspects of sovereignty, or from caseless talk about sovereignty as a "bundle" of rights—as if the rights belonging to external sovereignty could be surrendered piecemeal.

To circumvent such quibbling, let us use the following criteria for testing on which side of the line any proposal falls. These criteria add up to the presence or absence of external sovereignty; they permit no doubts as to whether a given proposal is a truce plan or a peace plan.

1. Will local governments need and have a foreign policy and with it the work of a foreign office or state department, diplomats and emissaries?

If so, then even if there be some form of international organization it will be a mere league or confederacy, not a world federal government or a world state.

2. Will there be any need or room for treaties of "peace" contracted by separate political communities?

If so, then we do not have world government, federal or otherwise.

3. Do the states which are members of an international organization have the right to secede from that organization?

If so, then it is a mere league or confederacy, not a federal structure.

4. Must any rule or decision of an international council or assembly be adopted by the unanimous assent of all the states therein represented?

If so, then that legislative body belongs to a league or a confederacy. It is not the congress or parliament of a federal government, in which any type of majority rule can prevail.

5. Will there be immigration restrictions and trade barriers which affect the passage of peoples or goods across the boundaries of local communities?

If they are the enactments of the several local governments, and not of the world government, then the several local governments are not merely local divisions of a central, federal government, but remain autonomous in their external relations.

6. Will there be, in addition to an international police force, armaments and military establishments held in reserve for some other purpose than the enforcement of federal or local laws?

If so, the international organization does not have the power proper to a federal government, and the member states have more power than is proper for local governments. The issue here is not between total disarmament and the retention of some implements of force. The issue is rather between the status of such implements—as instruments of war or as instruments of law enforcement.

7. Will the internal affairs of the several states be entirely exempt from intervention by the international organization, even though the course of internal affairs in one state seriously affects the welfare of another?

If so, then the several states have merely joined a league or a confederacy. They have not become members of a federal organization.

8. Will individual men have citizenship only in their local community, being represented in world affairs in an indirect manner by emissaries of the state to which they belong? Will the international organization attempt to regulate states alone, affecting individuals indirectly, only through the mediation of the state to which they belong?

If so, then the international organization is not a federal government, and its laws and their enforcement do not operate in the federal manner.

9. Will the budget of the international agencies be met by a levy on the several states, in contrast to all methods of financing government by direct taxation upon individual citizens?

If so, then these international agencies belong to a league or confederacy. They are not the departments of a federal government.

10. Will patriotism still consist in a paramount devotion to the goodness of a local community and a desire to see it pre-eminent in any respect over other local communities, or at the expense of the general welfare?

If so, then such patriots have only a national allegiance. They are not citizens of the world, and there is no world community or workable government.

These ten criteria sharply separate every form of internationalism from every form of world government. They are so closely connected that a negative or affirmative answer to any one will mean no or yes all along the line. It could not be otherwise, since these ten criteria do no more than express concretely what is involved in the single criterion of sovereignty.

By these ten criteria we can see what it means to say that nothing less than world government will secure world peace. Anything less leaves the world composed of independent nations

in a state of war, potential or actual. Any plan proposes something less than world government if it answers these questions affirmatively.

Let us look for a moment at international law to see why it cannot possibly meet the needs of the situation. The point is not that international law is at present defective and that, when developed or improved, it will perform the task of keeping peace. The point is that world peace requires a complete transcendence of international law.

International law is usually divided into general and particular. Its general content consists of the customs which prevail in the conduct of international affairs. It would be more accurate to say that it consists of maxims which are sometimes acknowledged as a matter of custom and sometimes honored as moral precepts.

It is supposed to be a matter of custom that nations respect each other's sovereignty. It is at least customary for each nation to demand respect for its own sovereignty.

It is a moral precept that nations, like individuals, should keep the promises they have made.

These two maxims summarize the general content of international law in so far as it concerns the rights of nations and their duties to one another. It should be obvious at once, from the whole history of international affairs, that nations frequently violate each other's rights, and frequently fail to discharge their obligations. International law is as powerless to prevent such malfeasance or nonfeasance as it is powerless to prevent the wars which result therefrom.

General international law merely describes the customary grounds for international conflict. It does not prescribe what every nation must do or suffer the penalty of law enforcement. What Bertrand Russell once said of ethics applies to general international law: it is the art of recommending to others the things they must do in order to get along with one's self.

Particular international law consists of all the rights and obligations which have been defined by specific treaties between nations. This in itself is strange. A treaty is nothing but a contract between individuals. It is not like the social compact

or the constitutional convention by which individuals set up a form of government. It is exactly like a contract between private individuals engaged in some sort of transaction with one another.

Such contracts do not make law, except in the paradoxical sense in which international law is law. Furthermore, if a private individual breaches a contract, the legal system of his community provides a way for determining who is at fault, what damage has been done, what compensation must be made. Applying the law of contracts, courts judge the controversy, and other officials use public power to enforce the judgment.

But in the international situation the only rule is the maxim that promises should be kept—by the other party! I do not mean to imply that nations always dishonor their treaties. Many treaties have been observed in the spirit as well as the letter. Within the last hundred years, many controversies over treaty obligations have been voluntarily submitted to courts of arbitration, and the tribunal's decision has been accepted by the party adversely affected, and voluntarily executed.

But when matters of paramount national interest are at stake, international law breaks down. The matter may or may not be submitted to an impartial tribunal, and even if it is, the party adversely affected may refuse to comply with the court's judgment, in which case the other party must help itself. This means war. That is why the members of the League did not try to save Ethiopia by enforcing sanctions against Italy.

There are still other aspects of international law which show its peculiarity. It needs the mediation of national law in order to regulate the conduct of individual men living in independent states.

It holds all the members of a state collectively responsible for the acts of its nations. War is not made against the particular individuals who may have committed the injury which occasions a conflict; it is made against all the people of the country to which those particular individuals belong, without respect to who is or who is not at fault.

International law does not distinguish between criminal acts and civil causes, nor does it separate punitive action from compensatory remedies.

It does not attempt to make the punishment fit the crime. It does not follow the rule of justice that gradations of punishment should be correlated with gravity of the offense. Minor as well as major offenses elicit the capital punishment of war without violating the peculiar sort of justice embodied in international law.

When all these things are contrasted with the characteristics of legal systems having political foundation, we see how peculiar international law is. We see that it is a law divorced from political institutions. It is a law of *nations* living together under government. It is a law of *war* (potential or actual), not a law of peace.

I quote my favorite authority on matters which are profound, but not too subtle for clear wits to grasp. An editorial in *The New Yorker* observes:

Law is, unfortunately, not law unless it is enforceable, and the "laws" of warfare are in their very nature unenforceable, being a mere set of rules for quarreling, which any country can disregard if it chooses. When war comes, each nation makes its own rules to suit itself. Japan makes hers, which includes murdering enemy fliers. . . . When at length Japan is punished, as she certainly will be, for having executed American aviators, the act of punishing her will not be "justice" since no court exists which has jurisdiction and no force exists for carrying out such a court's order. To call it justice is to do ourselves a disservice, because it deflects our gaze from the terrible spectacle of a world without law.

Precisely because international law is the law of a society of nations, not the law of a society of men, it can never be developed or improved to the point where it will function effectively to keep the peace. Law will function effectively in world affairs only when it ceases to be international.

When we cross the line dividing the anarchic from the political community, we experience a change of kind, not one of degree. When we cross the line between every form of international alliance (or league) and world government, the difference is again one of kind, not degree. So, too, when we pass from international law to the legal system of a world-wide political community.

Not by alterations or improvements in international law, but by its *total abolition* in favor of a different kind of legal system,

will we transcend the international order—the order of battles and truces.

International law, like the customs and treaties which comprise its content, belongs to the present era of world history. In its time, it may serve a certain purpose, but it can never serve the purpose of making or keeping peace.

We can have no excuse for blurring or obscuring the clear-cut distinction between an international order and a world political community. If we use the word "international" to mean "relating diverse nationalities," then there are many international governments already in existence. The government of the Soviet Union is certainly international in this sense. But if we use the word "international" to mean "relating independent states or sovereign nations," then we should know that "international government" is as self-contradictory as "round-square."

The best way to remember how we are using the word "international" is by reference to *international law*. In that sense of the word, it properly applies only to battles or truces and to the anarchic community which is called a "society of nations." It does not apply to peace or government or to the world community of the future which must be a society of men.

EXCERPTS

Nor can the transition from war to peace be organized through military alliances. That is another age-old idea from the grooves of past thinking. That is re-creating a world psychology of repression and domination, not turning the mind of the world to peaceful method and cooperation.

And by military alliance I do not mean short-term alliances but long-term commitments. Such military alliances always imply that nations agree to go to war at some future time against unknown nations for some purpose, good or bad. Mr. Gibson and I are discussing this subject at length in tomorrow's *Collier's Weekly*, but I may say here that inevitably such alliances create fear in other nations. Sooner or later they breed counteralliances. Armies and navies at once begin to pyramid in size.

There is a further fatal defect of all military alliances as an instrument to preserve peace. They at once begin to fall apart under the chafing of peoples against the danger of being involved in war. Inevitably world currents change, interests shift, a new generation arises, and some ally concludes not to go to war despite any agreement. Military alliances never endure for long.

Never has a military alliance produced peace, but many of them have produced war. Certainly they are no bases of enduring peace.

One of the suggestions which has been advanced is some sort of legal ties between the United States and Britain. The proposals include common citizenship, common currency, free trade, and military alliance.

Would not such an act at once raise the fears of all other nations that this is a step to world mastery by the English-speaking people and thus promptly generate organized opposition among the other 90 per cent of the human race?

Whatever the merits may be, it is a divergence from our main purpose which must be unity with all United Nations to victory and to build peace.

Moreover, will not such a marriage involve us in all the problems of the British Empire, and, conversely, will not the British Empire be plagued with all of the problems of the United States?

Would not the inevitable discussion about these relatives by marriage lead to many frictions and ultimately to bitter divorce?

I am one who believes that collaboration and cooperation between Britain and the United States is the first necessity for peace. But collaboration does not require amalgamation. The practice of cooperation increases friendship.

For common ground in national thinking we should discard all proposals of military alliances as an instrument of peace.—*Herbert Hoover, President of the United States 1929-1933. Congressional Record. N. 2, '43. p. A4969.*

Many even of the former isolationists have been won over to the idea of continuing the present United Nations alliance after

the war as an international "police." Some former internationalists, such as Walter Lippmann, seem to agree that it is the best plan for the immediate future, until the world is ready for a more complete form of cooperation. Though there are more than a score of United Nations at present, usually it is taken for granted that the main decisions will be reached by the Big Four (the United States, the British Commonwealth, Soviet Russia, and China), unless France should make a good recovery and become a fifth great power.

In fact, the main argument of this school of thought is that the League of Nations erred in not being sufficiently "realistic" and trusting to the self-interest of the great powers, instead of giving Thailand, Honduras or Guatemala equal weight with Great Britain, France or Russia. As one emphatic champion of the alliance put it, "The League could have prevented war only if the nations willing to defend the status quo had remained plainly stronger than the nations which wished to change it; but if this condition had continued, then the League would have been unnecessary." In short, if the great powers want peace there will be peace; if they want war there will be war.

The Big Four (for the present and immediate future at any rate) find peace to their interest. All have about as much land as they can manage; Russia may still have some ambitions in eastern Europe but they are limited to a barrier of defense along her western frontier. Together the four have more than half the population of the world, and much more than half of its natural resources. With Germany and Japan disarmed, they would have nothing to fear, if they remained true to each other. Why, it is asked, do we need anything more than these four world policemen to keep the other nations at peace.

Before answering this question, let us turn back a few pages of history. In 1815 Napoleon had been overthrown. Defeated France no longer could spread terror in Europe. The four great powers which had done the most to defeat Napoleon—Britain, Russia, Austria and Prussia—formed a quadruple alliance to keep Europe quiet. Diplomats from the powers met at least once a year as a "Concert of Europe." They did not hesitate to send

armies to put down revolutionary movements in discontented countries.

Yet the peace thus made did not last. The British soon retired from the alliance, chiefly because they did not believe in sending foreign armies into countries where there was revolution or civil war. Small states found the domineering power of the Russians, Austrians, and Prussians galling. Finally, Austria and Prussia became bitter rivals for the leadership of Germany.

We hope, of course, that *our* Big Four will do better than the Big Four of the early nineteenth century; that they will have a better peace to defend than that which was made at Vienna, and that they will use their power to protect the liberties of the common people instead of the privileges of kings and princes. But who can assure us that *any* mere alliance, no matter how nobly begun, may not in the course of time drift apart, as new men rise to leadership and new issues divide the victor powers against each other? Will Germany and Japan always remain weak? Will Great Britain and Russia always be able to agree? May not some new great power develop in the world, as swiftly as China has developed in our time?

The United Nations will do excellently as an emergency organization to win the war, make the peace, and secure for the world a breathing space of security afterwards. But to stop at that point and do nothing more to organize the world for peace would be the same as if our national Constitution had been designed only as a military alliance of Virginia, Pennsylvania and Massachusetts (the "big powers" among the original thirteen states in the days of our constitution making).—*Preston Slosson, Professor of Modern History, University of Michigan. From his "After the War—What?" p. 71-3. Copyright. Houghton Mifflin Co. Boston. '43.*

No hard and fast rules can be laid down regarding the exact relationship between the regional organization and the world organization; much would depend upon the character and scope of the latter. Observance of one simple principle might, however, avert serious conflicts of jurisdiction and ensure better coordination of the common efforts of the two organiza-

tions. Matters of purely local concern should be left entirely in the hands of the regional organization except for such special advice and assistance as it might formally request. Regarding matters which by their nature tend to affect the interests of the world as a whole, such as access to key raw materials, problems of national or racial freedom, and sanctions against aggressors, the world organization should have the last word. Before taking any decisive action on such questions, therefore, the Pacific Association should, except for necessary precautionary measures, seek the approval and cooperation of the world organization.—*S. R. Chow, Professor of International Law, National Wuhan University, Member of the People's Political Council, Chungking, China. In his "Winning the Peace in the Pacific." p. 81. Copyright, The Macmillan Company. New York. 1944.*

THE CASE FOR AN INTERNATIONAL POLICE FORCE

AN INTERNATIONAL POLICE FORCE ¹

Two world wars within twenty-five years—wholesale slaughter and mass murder, universal impoverishment and degradation. Why? The answer is perfectly simple. Given fifty-odd independent governments, each of which is the judge in its own quarrels and the punisher of its own wrongs, there can only be one result—war.

So long as nations choose to live in a state of anarchy there is bound to be war; it is only a question of time. It always has been so and always will be so. The national sovereign state is a law unto itself. It recognizes no higher authority than its own government; it insists upon having the last word in any dispute; it controls and fixes the size of its own killing machine; it repudiates the rule of law; it subordinates the public interest—the good of all—to the national interest—the selfishness of the few. It relies upon fraud and violence. It denies the claims of reason and justice. Every nation, large or small, rich and poor alike, clings to the fetish of national sovereignty, the sacred right to do as you please, to help your neighbor or to injure him, to advance the cause of civilization or plunge the world into an orgy of murder. Do as you like, go as you please, each for himself, God for us all, and the devil take the hindmost.

That is the international morality we all tolerate. Is it surprising then that there have been two world wars in twenty-five years? What else could we expect? What else did we deserve? Nowadays, when distances have been annihilated, when you can eat your breakfast in New York and your dinner in London, when news is flashed across the globe in a few seconds, nations have become mutually dependent upon each other and when the

¹ By Lord David Davies, Founder and Chairman, The New Commonwealth Society, England. *Free World*, 2:211-14. April 1942.

existence of one is threatened, the security of all is menaced. A war which starts as a duel between two countries soon develops into a universal shooting match.

The United Nations are now fighting shoulder to shoulder against a common enemy. He is a dictator, an aggressor, a tyrant, and an assassin. Therefore, he is the worst kind of human monster; but we must not forget that he is the product of the system of national sovereign states. So long as this system exists, it will continue to breed this species of monster, Germany, Italy, and Japan today—some other part of the world tomorrow. Unless mankind is incurably brutal, blood thirsty, and bad, it is inconceivable that under any sane or civilized system this human gorilla could have made its appearance at all. Not only has he hurled the people, who inhabit his own sovereign state, into the maelstrom of war, but he has also succeeded in dragging the peoples of every other sovereign state into it as well. So we, the British and American peoples who tolerated this anarchic system, are paying the price for our folly, stupidity, and complacency. We are now engaged in defending our freedom and democratic way of life.

But what sort of freedom? What kind of democracy? In World War I we also fought for freedom and to make the world safe for democracy! We won the war. Victory was ours, complete and decisive. We bragged about our new freedom, freedom to live once more under the old pre-World War system of sovereign states. We boasted of our democratic way of life, but the limits within which it could function were still circumscribed by the frontiers of the national sovereign state, which might be democratic today—totalitarian tomorrow. We clean forgot that real or true freedom can only be enjoyed under the rule of law. If our security is constantly menaced by the nation which possesses the biggest stick or the heaviest mailed fist, there can obviously be no real freedom. Moreover, absolute freedom or license implies the right to attack our neighbors if we believe we can derive some advantage from doing so. That has always been and still is the rule of the international jungle. The latest example is to be found in the antics of the Tokyo gorilla. The result—Pearl Harbor.

Contrast this freedom with the freedom of the individual who lives in a democratic community. He is precluded from doing violence to his neighbors and his freedom to do or not to do certain things is strictly limited by the laws of his country. The law becomes the guarantee of his freedom because it prevents other members of the community from inflicting injury upon him and gives him the opportunity of securing redress for his grievances. In return for these rights which the law confers upon him, the citizen is under the obligation not only to respect the law, but also to help in upholding it. It is clear, therefore, that freedom is bound up with justice, and justice can only be administered and upheld through the rule of law in the international, no less than in the national community. If this is true, then the freedom we are fighting for in this war is not the old conception of absolute freedom embodied in the national sovereign state but a new and real freedom which can only be realized under the rule of law.

Similarly, if we are fighting for democracy it means that the peoples who believe that it is the best and highest form of government yet devised by man are prepared to extend its principles and practice beyond the confines of their national sovereign states. This they can do by combining together in a federation which will enable them to control directly through their elected representatives—not indirectly through their governments—their dealings with each other, especially in the spheres of foreign policy and mutual defense.

We see then that freedom and the rule of law are closely linked together. If there is to be a durable peace, they cannot be separated.

There then are four pillars: democracy, federalism, freedom, and the rule of law, each of which is indispensable if we propose to build the citadel of justice and peace. Now it is clear that the rule of law implies at least three things; first, that the public law can be altered from time to time by a peaceful procedure in order that it may conform to changing conditions; secondly, that it can be administered; thirdly, that it can be upheld and, if necessary, enforced. The natural law of change operates in every sphere of human society. It is the dynamic principle and applies equally

to the affairs of nations and of individuals, to the international no less than to the national community.

The paramount question we have to ask ourselves is whether these changes are to be effected by a violent or peaceful procedure; in other words, by an appeal to force or to reason, by a resort to war—the international duel between sovereign states—or to justice administered by an international authority. The latter can be achieved through federal parliaments, confederate assemblies, and equity tribunals, i.e., recourse to third party judgment or arbitration. It also involves the establishment of executive and judicial institutions. But unless the appropriate international institutions exist to change, administer, and enforce the public law, it is idle to suggest even the possibility of preventing war. Without them the rule of law cannot exist at all. Further, we know that law is enforced by sanctions or penalties. In every civilized country it is the duty of the policeman, acting on behalf of the community, to ensure that the law is respected and upheld. Without the police, backed if the necessity arises by military forces, laws passed by Parliaments, Congresses, or Assemblies would be flouted and judges and courts would be useless.

Nations are composed of individuals in the mass. Their standards of conduct are lower even than those of individuals. Therefore, if it is proposed to establish the rule of law, the same principles and arrangements should be applied to both. Consequently, unless there is an international policeman to enforce the law, nations, like individuals, will kick over the traces sooner or later, repudiate the public law, and proceed to attack their neighbors. Hence the necessity for sanctions, both economic and military, in the international community. The former can be employed to ensure that the decisions of the international authority are carried out; the latter to prevent a state or nation from attacking its neighbors. In the first case an economic blockade would be the equivalent of sending an individual to prison when he refuses to abide by the award of the arbitrator or the decision of the judge. In the second, the international policeman intervenes to put a stop to violence just as the armed forces of the crown or the republic may be called upon to quell a riot or a

civil disturbance. In both cases the right of moral use of force is expressed in the police function. Force, instead of being the law giver, then becomes the servant of the law. It has often been suggested that economic sanctions alone will suffice to deter any sovereign state from resorting to war. Looking back, however, over the events of the last few years, the case of Abyssinia proves that this is a fallacious view. If the aggressor is to be prevented from committing acts of violence, something more than economic sanctions is needed. They must be backed by overwhelming military force always kept in the background, but always ready to protect the law abiding members of the international community.

The next point is that military sanctions must be properly organized in advance of the crisis; before, not after, the act of aggression has taken place. Prevention is better than cure. This can only be done through the creation of an international police force, financed and controlled by the international authority. It follows that through its federal parliament of confederate council, assisted by police commissioners, the authority will operate its own police force, in order to ensure that the public law will be upheld. It has been suggested that each state member of the authority should earmark a section or quota of its own national forces for this policing job. Such a system, however, is bound to fail in the long run because when the crisis comes, each government will decide for itself whether it will allow any of its national forces to be used. Probably it will endeavor to discover excuses for evading its responsibilities. That is what happened at Munich; that is why so many countries have tried to remain neutral when their neighbors were being attacked and chose to forget their obligations under the Covenant of the League. It follows that the international police force must be centralized: recruited, paid, and controlled by the international authority; otherwise, it will lack cohesion and there will be no guarantee that it will function at all.

There is nothing new in the idea of an international police force; in fact it is as old as the hills. It can be traced as far back as the days of ancient Greece when the federations and confederations of the City States arranged to pool their military and naval

resources in a common force to maintain peace amongst themselves and as a mutual protection against aggression from their enemies outside. Subsequently, the Roman garrisons acted as a policing force and maintained the rule of law in the vast territories of the Roman Empire for a period of more than five hundred years. During the centuries that followed the fall of Rome, plans for constituting an international police force were suggested from time to time, notably by two Frenchmen, Sully and St. Pierre, and by William Penn, Immanuel Kant, and many others.

In recent years the idea was championed by Theodore Roosevelt, and in 1910 the United States Congress unanimously passed a resolution in favor of an international navy. Both Houses requested President Taft to sound the European governments as to whether they would be prepared to join the United States of America in establishing such a force. In reply, Sir Edward Grey said in the House of Commons that this proposal would receive the sympathetic consideration of the British Government. The Kaiser, however, bluntly turned it down. Had the navies of the United States of America, Great Britain, Germany, and France been constituted into an international police force to secure the freedom of the seas under the control of an international authority, it is conceivable that World Wars I and II might have been prevented. However this may be, it is interesting to note that the foremost protagonists of an international police force at the beginning of the century were the leaders of the Republican party in the United States of America. They realized that it was only through a combination of moral and physical force that the rule of law could be established. Subsequently, at the conclusion of World War I, Article 16 of the Covenant was intended by its framers to become the foundation upon which the members of the League of Nations could build up an organization of economic and military sanctions sufficiently powerful to deter any nation from resorting to war. In his address to the Peace Conference in Paris, President Wilson said, "If the moral force of the world will not suffice, the physical force of the world shall."

The experience of the last twenty years has conclusively proved that moral force alone will not suffice. But the tragedy

was that the successors of the statesman who drafted the Covenant took no steps to organize the physical force so that it could only be employed for policing purposes to prevent aggression and ensure that all international disputes would be submitted to a peaceful procedure for settlement. It cannot be too strongly emphasized that the failure of the democratic leaders—due in no small measure to the apathy and indifference of their people—to create (a) the peaceful procedure and (b) the organization of physical force or sanctions, is responsible for World War II. If, after this war is won, nothing is done about it, it is certain that we or our children, or perhaps our grandchildren, will drift into World War III. Therefore, it is high time that we, the citizens and electors of the democratic countries, put on our thinking caps. We must make up our minds how we propose to put an end to the intolerable system of anarchy which we have all acquiesced in for so long. If we want to make our countries a safe place for our children to live in, to ensure that they shall not run the risk of becoming the slaves of some foreign dictator or be offered up as a sacrifice for our folly and indifference on the altar of war, then we must be prepared, in conjunction with our friends and neighbors, to organize effective sanctions—that is to say an international police force.

From the practical standpoint, this is a much simpler proposition than it was in the old days. During the last forty or fifty years, science has presented the world with a number of new and potent weapons whose powers of destruction are almost unlimited. These are airplanes, tanks, submarines, modern battleships, and long range guns. If the principle of differentiation of weapons is applied, the millions in militias whose duty it is to maintain law and order in the national states could be armed with the older weapons; for instance, rifles, machine-guns, field artillery, and armored cars. The remainder, the more modern killing machines—the big stuff—would be handed over to the custody of the federal or confederate authority to be employed exclusively for maintaining international law and order. It is clear that if individual nations are willing to deprive themselves of these super-weapons and to pool them for policing and defensive purposes, they would be compelled to submit themselves to the rule

of law. Moreover, instead of being a curse to mankind, instead of being employed in international duels, these weapons could be transformed into the guardians of peace and the custodians of justice.

This war has already demonstrated the vital importance of airpower. No army, no navy can function successfully, no nation can hope to win if it is deprived of superiority in the air. Therefore, if the national forces can be amalgamated, if the control of the air is centred in an international authority, if civil and military aviation is internationalized and the freedom of the air is guaranteed through the organization of an air police force, then the risk of another world war will be greatly diminished, if not entirely eliminated. It follows that our first objective should be to constitute an international air police force under the control of a world confederation. Such a confederation might be composed not of fifty-odd sovereign states whose representatives used to meet and wrangle at Geneva before the war, but of five or six federations or political entities. These might include a union of the English-speaking peoples, a United States of Europe, the Soviet Union, a Far Eastern Federation, a Union of the South American Republics, and a Federated Asiatic Bloc with India as its nucleus. Here are six potential political units comprising almost the whole world, each of which may develop into a federation of free peoples through the application of federal and democratic principles. Linked together in a world confederation of federations, they would be able, through a confederate council assisted by an equity tribunal, to settle all their disputes. Moreover, with the help of a police commission and an international aviation board, this council could establish and administer an air police force and exercise general control over the development of civil aviation.

I am convinced that only through some arrangement on these lines will it be possible to put an end to the existing anarchy of national sovereign states, to establish the rule of law and free mankind from the bondage of war. God grant that the English-speaking peoples, who in the past have been the champions of democracy and federalism and are now pouring out their blood, tears, toil, and sweat in the common cause, may be prepared to blaze this trail when victory is won.

UNCONDITIONAL SURRENDER: THEN WHAT?²

It is plain even to the two remaining Axis powers that the war will end with their unconditional surrender: then what? The answer would seem to depend upon our present purpose; for what are we fighting? That too is plain; we are fighting in self-defense, and our whole purpose is to reach peace in the defeat of our enemies. Not plunder, not territory, not prestige, but a world at peace following victory is the end and the only end we seek. If we fail in that, then our sole purpose is unattained, and the tragic costs of the war are a huge futility.

To permit this failure and loss would be to repeat the stupidities and blunders of 1919, out of which came this second global war. And after a like period we should be flung into the furnace of a third, its mass murders multiplied. There is one way and but one to prevent this; and that is to continue and enlarge the number of the United Nations, and keep an international armed force to police the world.

Looked at as we look at a riot in a city, our united forces in this great war are really a police force, engaged in suppressing bandits, marauders and murders. If we can unite to put down the bandits, surely we can remain united to keep them down. It is purely a question of force in world affairs, and of who shall wield that force, whether it shall be held and used by ruthless barbarians and lunatics, or by sane men to maintain a world of peace, decency and order.

Call the associated nations by what name you please, League, Federation, Council, or what have you. They will at once disarm the aggressors, and assert and hold a monopoly of heavy weapons, which shall be used only by the world police force to put down aggression and maintain order. In Europe at this moment Germany has done just that, not to advance the welfare of the people, but to accomplish her malign purpose of loot and enslavement. It is thus she holds sway over four hundred millions who are helpless and hopeless of escape, save for outside assistance.

² By Frank G. Tyrrell, Judge, Los Angeles Municipal Court. Radio-broadcast, October 23, 1943. *Vital Speeches of the Day*. 10:33-4. November 13, 1943.

In terms of communication and transport, the world has shrunk so that what Germany does in Europe, the same or any other power can do throughout the world, unless restrained by a peace force.

The maintenance by the United Nations of an international police force will afford collective security for all, and there is no security for any, otherwise. No nation is rich and strong enough to defend itself alone against possible combinations of aggressors. Even America, with universal conscription and military training, could not meet the massed might of possible enemies.

Long ago the imperative need and simple wisdom of such a union or confederacy for safety and security were declared by James Madison, with unanswerable logic:

As the weakness and wants of man naturally lead to an association of individuals under a common authority, whereby each may have the protection of the whole against danger from without, and enjoy in safety within, the advantages of social intercourse, and an exchange of the necessities and comforts of life; in like manner feeble communities independent of each other, have resorted to a union, less intimate, but with common councils, for the common safety against powerful neighbors, and for the preservation of justice and peace among themselves. Ancient history furnishes examples of these confederate associations, though with a very imperfect account of their structure, and of the attributes and functions of the presiding authority.

Two hundred years before the Declaration of Independence, right here in America there was such a federation, set up by the Iroquois Indian tribes, and they made it work. Shall we say that civilized men cannot equal in statesmanship the American aborigines?

This step forward to world government is not merely desirable and admirable, it is necessary to the preservation of civilization, and it is simply the assertion of human rights. None of the rights of man are secure without it, nor can any nation make these rights secure for its own citizens. Japan's treacherous attack on Pearl Harbor demonstrates this. There being no international police to restrain her, Japan struck, as and when she chose. Immediately, the American's bill of rights was upset and temporarily suspended.

Because there is no world government, no world police, every elemental human right is in constant jeopardy. The right to life? It exists no longer. Every soldier surrenders it. And in modern war, every civilian is in continuous peril. Already in Europe noncombatants have died by the million, worked to death, bombed, or starved. The right to liberty? No more. The regime and discipline of camps restrains the liberty of the service men, and an avalanche of new laws and rules regulates by limiting and directing, the liberties of the civilians. The "pursuit of happiness"? Hardly; certainly we are not permitted any longer to pursue the high purposes of normal life. We have but one overmastering concern, to which all our resources and energies are marshalled, to win the war!

It is all in vain that the plain people of the world have through toil and tears and blood wrested irresistible power from despotic rulers, if they do not confederate so as to stop the exercise of irresistible power by aggressor nations. The welfare of the citizen is the supreme law. It can never be assured with any degree of permanency in an ungoverned world. At any moment and on any pretext, the whole process of orderly government and of industry may be invaded and dislocated by any upstart aggressor people. It is plain that without world government, without world police, our rights and liberties are jeopardized, and the Declaration of Independence and the Constitution become mere scraps of paper.

Individual man and individual states have a vested right in the peace of the world, the right to freedom from war. Within the boundaries of any nation, that right is recognized and enforced by police or militia; without, in the wide area of international relations, there is no protection of the right, and no force to punish and stop its infringement. There is no court there to exercise its punitive power, or to adjudicate and settle controversies. Negotiation, arbitration, agreement, are the sole methods of procedure, when national rights are violated, in other words, diplomacy. When that fails, the dernier ressort is war. And war anywhere in modern times means war everywhere.

Does someone object to the statement that there is no law in the international area, that we have international law? It is a sufficient answer, to refresh our memories as to the mean-

ing of law. A law is a rule enforced by a sovereign political authority. International law, as all jurists tell us, is only "law by courtesy," because there is no sovereign to enforce it; there are no courts to adjudicate, no peace officers to carry out their decisions. Each independent nation has supplied itself with courts. Whenever one's rights are violated, he can hale his adversary into court, and compel him to do justice. But when a nation's rights are defied, there is no tribunal to which the offended power can have access.

Outlawry, then, is the state of every nation on earth; for as Blackstone defines it, "outlawry is putting a man out of the protection of the law, so that he is incapable to bring an action for the redress of injuries." All nations are outlaws, and it requires the concerted action of all, or at least a preponderant majority, to lay down the law and set up the courts and establish and maintain the peace force necessary for their redemption and safety.

Such a situation is uncivilized; it is anomalous; it is unworthy of the intelligent modern world to endure it any longer. It reproaches and shames us, makes our boasted independence a sham, and leaves every nation powerless to carry on in safety and security its domestic affairs. It is amazing that the peoples of the world have endured such a condition of insecurity so long; it is intolerable, and all the more so because it is remediable.

The familiar words of the preamble to our Constitution assert the grand purpose of this government: "To insure domestic tranquillity, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity." We could achieve those fine purposes, if we could isolate ourselves; if we could be let alone. But in an integrated world, a world which in terms of transport is smaller by far than the original thirteen colonies were in their day, isolation is an illusion, a dream, and to pursue it as a national policy is sheer somnambulism, walking in our sleep.

All this, in the blazing light of recent history, seems so plain that he who runs may read. And yet there are here and there intelligent persons who declare themselves opposed to forthright

participation of the United States in a form of world government. In matters so portentous, they must be sincere and honest. The only answer to these objectors is the attack on Pearl Harbor; by that perfidious act, Japan has said to them, "I have found you an argument; I am not obliged to find you an understanding."

AN INTERNATIONAL POLICE FORCE³

In the decade after World War I, when the League of Nations was a living institution with considerable influence in international relations, many people, and even governments, advocated an international police force. But the League never attempted to establish such a force. This failure to provide itself "teeth" has often been blamed for the death of the League, but that is oversimplifying the matter.

Now, in World War II, many people concerned with the problem of winning the peace, as well as the war, again speak for creation of an international, or world, police force. I have seen many statements by leading Americans emphasizing the need for such a force, but I have not seen one that makes clear what it means by "international police force." Nor have I seen a single proposal as to how to form, direct, and finance the international police force, and as to what its authority and jurisdiction should be.

I am afraid that many advocates of an international police force have too vague a notion of what changes in our international life will have to be made before we can establish such an institution for international order and justice. If we do not make clear the problems which may arise in connection with an international force, we run the danger (as so often has been the case with great ideas in the past) that the advocates will turn against the proposal once they realize its implications.

Whenever we enter the field of international affairs, it seems that we lose some of the clear thinking we are accustomed to in our national affairs. In our national affairs we make a clear distinction between police and army. Here the police force is

³ By Tom O. Griesemer, National Executive Secretary of World Federalists, New York City. *World Affairs*, 105:262-6, December 1942.

charged with the enforcement of the law and the maintenance of public order, safety and health, while the army is charged with the defense of the country against an enemy from without or the defense of lawful governments against rebellion from within. In other words, police functions in a field where law and government reigns, army in a field where anarchy is rampant. In international affairs we have failed so far to make such distinction. Most people who speak of an international police force think of armed forces pooled by several governments, whose job it is to enforce "international law" (which is "law" in name only). What they actually mean is that in the international field military force is the means of "maintaining peace."

To make a distinction between police and army does not mean that one be given preference over the other. Both have their necessary functions. It is desirable, however, to have a clear picture of what these functions are in international as well as national life, and how these institutions will best serve their purposes. I will first deal with the problems of an international army, using the term "army" to include land, air and sea branches.

We hear frequently that "after this war we will have to police the world." The meaning of this expression is that a good part of our fighting forces will have to stay in various parts of the world and enforce rules for order which are laid down by us. Opinions differ as to whom "we" and "us" include. Some people think there should be an Anglo-American force and Anglo-American rules. Others believe that the larger of the United Nations, such as the United States, Great Britain, Russia and China, should combine to do "the policing"; and still others suggest that all the United Nations should participate. It is, of course, justified to call an armed force composed of nationals from two or more nations an international army. But for the sake of clarity, it would be well to speak rather of an interallied army as long as recruiting is restricted to nationals of allied countries and administration is in the hands of allied governments only.

I admit that immediately after the war it will be necessary to occupy enemy countries and perhaps some of our allied coun-

tries to restore and maintain order which will make the necessary reconstruction work possible. An occupation army should be composed of contingents of as many nationalities as possible. The psychological effect upon the population of the occupied countries will be much better if the occupation force represents more than just one or two of the enemy countries. For instance, the German population would be less hostile to an occupation army composed of French, English, American, Chinese and Australian soldiers, than to one composed of French and English only.

The occupation forces must not be confused with a permanent international army. The former are a temporary institution performing some administrative functions under martial law. They should be kept only as long as absolutely necessary. A permanent international army should be created at the earliest possible moment. It should have no administrative functions. Its only purpose should be to protect against aggression and rebellion the peoples which set it up. This permanent international army should be recruited from all countries ready to participate in it and it should be administered by all these countries. In it there should be no discrimination; victors and vanquished, big powers and small powers, white and colored races should be represented in it on a basis of strict equality. A permanent international army cannot fulfill its purpose if it is not truly international in this sense, and nothing would be more detrimental than to have it regarded as a "foreign" force in any of the countries in which it is to operate.

"Policing" of the world by a few strong nations is power politics. If we (meaning a few of the prominent allies) would try to "police the world," that would be a continuation of the old policy of balance (or, rather, unbalance) of power, which has consistently led to wars in the past.

The recruiting may have to be done by conscription from existing national armies on a quota basis. But voluntary enlistment of individuals would be preferable. Voluntary enlistment, however, has the danger that some nationals are more inclined to join armed forces than others. The international army, therefore, might soon become predominantly of one nationality, and

so lose a part of its international character and its impartiality. This danger can be avoided by putting a ceiling on recruiting from any one country and concentrating on recruiting advertising in those countries where the enrollment is slow.

The international army must not be in the service of a single nation or a few. It must serve the whole and it must be impartial. In this respect much depends on who pays for its establishment and maintenance and who appoints officers and controls activities.

If individual national governments pay pro rata for the expense of the international army, the existence of the army will be dependent on these national governments. It will be more dependent on governments who pay bigger shares than on those who contribute smaller amounts. The national governments would be in a position to withhold their payments whenever the force is used for action of which they do not approve. The bigger powers especially could jeopardize constantly the continuance of the army by threatening to withhold payment. In that way, they could make the international army an instrument to serve their own selfish ends.

Each national government which contributes to the cost of the international army will want to have a voice in its administration and direction. Thus the command of the force will be governed by a body composed of representatives of national governments with divergent and frequently opposed interests. A majority decision by this body would mostly be ineffective because disagreeing members can blackmail the majority by threatening to withdraw. In most cases, therefore, unanimous agreement would have to be sought and could probably be reached only in a few instances. It would be a situation similar to that which existed in the League of Nations with respect to the enforcement of sanctions. Administration, direction and financing of an international army by treaties among national governments would soon result either in the collapse of the army, domination over it by one or a few nations, or its officers' assuming independence and dictatorial powers.

All these hazards can be avoided and the international army made permanently effective if it functions under an international

authority independent of national governments. This authority must derive its power and revenue direct from the peoples for whose protection the international army is established. It must be, in reality, an international government, with direct taxing power, elected by and responsible to all the people. Such a government requires federation of the nations concerned.

We must be aware of the danger that one day the commanding officers of a strong international army may go in for politics on their own and try to establish an international military dictatorship. If the grip of the authority which holds the reins of the international army is weak, this danger is great; if the grip is firm, this danger is small. The grip on the army by a body composed of selfish, greedy, jealous and often hostile national governments would be very weak; the grip by a federal government, anchored in the peoples of the member nations, would be very strong.

Furthermore, an international army, created and maintained under international treaties, if it lives at all, will grow in importance. An international army, formed and administered by a federal government, will decrease in importance. In the first instance the national governments concerned will keep their own armies. The international army, to be at all effective, must be stronger than any one of the national armies, in fact stronger than any possible combination of national armies. One way to make the international army superior to national armies is to restrict the size of national armies and to limit them to inferior equipment. National armies would be allowed a certain number of guns, tanks, ships and planes of a certain size and age, while the international army would be equipped with the most powerful and modern weapons.

Such an arrangement would be subject to armament conferences and international agreements. We know how little we can rely on these. Soon we should have to expect an armament race not only between individual nations but between national armies on one side and the international army on the other side. If the international army could hold its own in such a race, it would become very powerful. An ambitious command could embark on daring adventures.

In the case of a federal government, the national governments would transfer their military powers to the central government, which would be charged with the defense of the whole. The federation designed for world government would steadily grow as outside nations would join it. With this growth the danger of an outside attack would diminish and, therefore, the size of the international or federal army might steadily be decreased. As the international federal government approaches the ultimate goal of world government, the importance of the international federal army would shrink. It would then be used only to assist the police during grave disorders and to protect the legal central government and the legal national, state and local governments against rebellion. In such a development lies no danger of military dictatorship.

An international army does not exclude the need for international police. Unlike armies, police do not concern themselves with conflicts arising from relations between national governments. Police are a civil, not a military force. Their task is to assist in the execution and enforcement of laws concerning relations between government agencies and individuals and relations between individuals.

As shown above, an international army created in addition to existing national armies would have great difficulty in fulfilling its purpose. An international army has not merely tasks supplementary to those of national armies. The nature of armies makes them opposed to each other. It is desirable that an international army absorb or displace national armies and acquire a monopoly.

In contrast to this, international police should only supplement police agencies already existing in our various communities: cities, states and nations. It should not "crowd out" these existing institutions. In fact, it should not affect them at all. The international police should be a new and additional institution in a new and additional field.

It is conceivable that international police could operate temporarily as civil international agencies under certain international committees, established under international treaties. For instance, an international committee for international air and sea traffic, formed under international agreement, could be fur-

nished with an international police staff for the enforcement of international traffic rules. The existence of such a committee would be dependent on the national governments concerned, as would be the police under it. The danger of ineffectiveness, partiality or dictatorship would arise for some of the same reasons shown in the case of an international army dependent on national governments. For these same reasons, international police should be administered by an international government which derives its powers and revenue from all the people subject to the international police.

There are two further reasons: First, the international police would have to operate beside and in cooperation with municipal, state and national police. To avoid conflict, its authority should be as clearly circumscribed as is the authority of these. Municipal, state and national police derive their authority from their respective governments, whose powers are constitutionally defined. For smooth operation and cooperation the international police, too, should derive its authority from an international government, whose powers are constitutionally defined.

Second, the international police would, like all police, deal with the individual directly. Therefore, the individual must be protected against abuse by the international police of their power through civil rights like those provided for in Amendments 4, 5 and 6 of the United States Constitution, and through courts to which he has recourse when his civil rights are violated.

All these considerations lead to the conclusion that international police should not be established without an international constitution which provides for an international executive, an international legislature, international courts, and an international Bill of Rights. To forestall the danger that they become an international Gestapo, international police should be under the control of an international government of, by and for the people.

GIVE PEACE A SWORD ⁴

The League is an episode, the most significant so far, in the effort by civilized mankind to secure peace—by compulsory

⁴ From article by the Reverend A. R. Bandini. *Catholic World*, 152:44-52, October 1940.

means. That effort has an ages long history but I must be content here to touch only upon recent developments. There is an abundant literature on the subject; perhaps the most comprehensive book—even as to historical data—is Lord Davies' *The Problem of the Century*, published in 1930. It will surprise many people to know that there has been—and there is—in America a very definite movement for an International Police Force though I acknowledge again the past and present popularity of the moral persuasion school.

President "Teddy" Roosevelt was an outspoken advocate of the International Police Force idea; in a message to Congress in 1904, in his Nobel prize speech of 1910, and in a book published in 1914, he expounds the thesis that an international police is a necessary adjunct of an international court of justice. Secretary of the Navy Meyer (under Taft) stated in an annual report that "under the most favorable circumstances it will be necessary for at least five or six of the nations to maintain navies which will be able to enforce the decrees of the International Court." President Taft even took some practical steps toward the establishment of an International Police Force. In 1910 the following resolution was approved by both Houses of Congress: "Resolved . . . that a Commission of five members be appointed by the President of the United States to . . . constitute the combined navies of the world as an international force for the preservation of universal peace. . . ." President Taft sounded the European governments on the matter and received some favorable response from England as Sir Edward Grey declared in February, 1911. Later, in a debate on army estimates, Sir Edward stated: "Some armies and navies would remain, no doubt, but not in rivalry with each other; rather as the police of the world."

Raymond Leslie Buell, in 1925, after quoting more or less the above statements, adds that Senator Lodge had said, in 1916: "It will be necessary to put force behind international peace." Edwin Gwin, of the World Peace Foundation (of Boston) in an official pamphlet of the Society, dated 1925, declares: "My own belief is that the ideas which underlie the movement for The Hague Court can be developed so that the nations can be

persuaded each to contribute a small percentage of their military forces at sea and on land to form an International Guard or Police Force."

In 1927 the Congress of the French Veterans' National Union passed this resolution: "We ask that the League of Nations cease to be an exclusively moral personality and that it be provided with an armed force constantly superior to that of any possible alliance between two or three great powers so that it may be able to enforce respect to the principles of peace on those who for self-interest might be inclined to forget them." The English Labor Party proclaimed a similar policy in 1929. An authoritative voice was heard from Germany in 1930. Bishop Schreiber, of Berlin, said at a meeting of the Peace League of German Catholics: "The best instrument for peace would be a union of all nations with an international army as the executive power."

I have mentioned above a pronouncement by an American Secretary of the Navy; it seems that in Navy circles the matter of an International Police Force was taken rather seriously. At least, in 1930, during the Senate's discussion of the London Naval Treaty there came to light a paper from the confidential files of the Navy Department which was entitled: "Proposed Plan for Establishment of the League of Nations Army and Navy." Possibly it was just an academic study by the General Staff which is expected to work out plans for every imaginable contingency: whatever it was it was hastily re-buried before complete exhumation, under the scorn of the isolationists. At any rate it shows that someone was thinking along those lines. It is interesting to note that Primo De Rivera in that same year 1930 (he was no longer then Dictator of Spain) proposed to make the League of Nations completely effective by means "of a great army made up of units from the countries engaged in the work of peace, subject to the orders of the League's Council and commanded by an international general and staff."

It is not illogical for me to quote for my side on this subject the authority of men with whose opinions on other subjects I certainly disagree. Havelock Ellis wrote (1931): "In every civilized state we have known how to provide a national police

force to meet the risk of individual citizens murdering each other. If we fail to take the next obvious step of setting up an International Police Force to meet the risk of nations murdering each other we meet the fate we deserve for our civilization not only stultifies itself but grows stagnant and corrupt." Bertrand Russell—who cannot be wrong in everything—is also a well known internationalist and favors the placing of a combined but independent force at the disposal of a federal (world) government.

A number of advocates of an International Police Force believe that, considering the development of aerial warcraft, that force might consist almost exclusively of warplanes. This point of view—and other related matters—is most competently expressed in the book *Challenge to Death* edited by Storm Jameson in 1935. It is a symposium by fifteen noted English authors, the main thesis being entrusted to Philip Noel Baker, educator, war hero, and long connected in official capacities with the League of Nations. In my Plan for a Peace Guard of the World, I said: "The peace guard shall be mainly a naval and aerial militia." In view of the present aerial efficiency it may be granted that the International Police Force could be predominantly aerial. The proposal of an International Air Police was actually made at the London Disarmament Conference (1932-1933) by the French Air Minister. Mr. Baker was then secretary to Arthur Henderson, president of the Conference. He states that the project was considered seriously by many nations; sad to relate, it was not adopted mainly because England was opposed to it.

I have quoted some instances of the trend toward an International Police Force which have come to my attention without any special search; one could find many more. This is not a matter to be decided by testimonials; still, favorable authorities always strengthen a thesis.

Generally speaking, planners for an International Police Force visualize the combination of a limited number of nations; in recent years there has been a definite movement—among intellectuals—for a more ambitious project, one that contemplates a federation of the whole world. To popularize that project we

have in America the society entitled "The New Commonwealth" founded by Lord Davies (whom I have already mentioned) with headquarters in Cambridge; almost of yesterday is the "World Citizens Association" of Chicago. The latter seems to base its ideology on Clarence Streit's well known book *Union Now*. This book and other matters in connection with the idea of a Commonwealth of Mankind were ably treated in an article appearing in the July issue of this magazine and I need not pursue this subject any further. I may add, however, that Streit's idea may have been back of the proposal made by England just before the final collapse of the French army for a Union of the French and British Empires with a common citizenship; but it is very doubtful whether such an offer would have been made in less abnormal times.

The idea of a World Federation is fascinating; it appeals to poets and dreamers and "cosmic" minds in general. Thus it is not surprising that Einstein should have said when he was interviewed last June upon his becoming an American citizen: "I am convinced that a federal organization of the nations of the world is not only possible but even an absolute necessity if the conditions on our planet are not to become unbearable for men."

That is the ultimate goal; maybe in the end there will be, politically, one fold and one shepherd just as there will be, religiously. But we must take care of the "meantime" which might be long protracted. The full merger of many nations in the fashion of Streit's Union seems necessarily excluded, for several generations anyway, as peoples are still too acutely conscious of their distinct nationality and, besides, types of government, monetary systems, educational and social stratifications vary too sharply.

For the security of nations—freeing them at the same time from crushing militarism—there remains only the plan of an International Police Force. It is conceivable that as the nations keep united under that plan their sense of solidarity will grow, together with a general leveling off of social conditions, so that in time a full Federal Union may be practical among them. Obviously in order to establish an International Police Force even

among a limited number of nations there are moral difficulties to overcome and technical problems to solve. As to technical problems I may say that they are not insurmountable and that in fact those who have studied the subject agree to much the same solutions. The removal of moral difficulties would not be so simple. A fundamental point is that nations must relinquish the supposed right to exclusive sovereignty. Each one of the United States of America claims it is "sovereign"; in fact it yields in many matters to the Federal authority. Thus the nations united for an International Police Force will remain "sovereign" but must defer in some matters of common interest to the international authority they themselves will set up. They must be willing to place the common good above immediate self-interest; they must learn to submit their controversies to, and accept willingly the decision of, the International Court; they must also become more liberal in allowing the free flow of population and goods from one nation to another.

The development of such international mentality is the work of all right thinking men and especially the work of the churches. We Catholics are in a most favorable position for such work. We have a tradition of internationalism; in fact there was a time when Catholic Christendom was a League of Nations and recognized in the Pope a central authority who possessed, in the interdict and excommunication, a coercive power, spiritual but quite effective. I dare say that the establishment of an International Police Force fits very well with the background of the modernly developed doctrine of the Mystical Body of Christ.

For the class of men who might not be influenced by the principles of Christianity or who might prove refractory to the feeling of brotherhood, the motive of self-interest and the motive of fear may be invoked. I do not mean fear in the sense of being individually scared, but the well founded apprehension that under the blows of a modern war civilization will collapse and everyone of us will suffer hideously in consequence. The International Police Force may be a dream; I am rather confident that it is the ideal pattern of a not distant reality. At any rate dreams have a way of becoming true if sufficient energy is de-

voted to their realization. Even mere discussion is valuable and that is why I am recalling now my old project for a Peace Guard of the World.

A splendid practical opportunity is right before us—at the time I am writing this—in the projected Pan American Economic Union. The two Americas can lead the way; the resources of our continent are sufficient to organize the necessary power of an International Police Force; in fact the cost of pooled security would tax each republic immeasurably less than separate vast military establishments. We have a community of interests, we have already had some practice in concerted action; we must take another step and organize the Pan American Peace Guard. Other nations will gladly join; Canada, for instance, should the British Empire be dissolved; the British Empire itself, if it remains more or less intact, will be eager to join.

If a civilization leavened with liberty and prosperity is to be maintained, let us give peace the sword of the International Police Force.

IN SUPPORT OF THE SECTION REPORT*

Before discussing the Section report in more detail to see how far it meets the experience of the past, it would be well to examine how far American public opinion has committed itself to the concept of a world organization so we may see if the plan of the International Relations Section is consistent with that public opinion. Many polls have been taken, notably the Gallup Poll of March 24, 1943. That poll indicated by a three to one vote that the United States Government should take steps now, before the end of the war, to set up with our allies a world organization to maintain the future peace of the world.

In the Fulbright resolution passed by the House of Representatives early this year it is provided:

The Congress hereby expresses itself as favoring the creation of appropriate international machinery *with power adequate to establish*

* By Joseph C. Sharp, Noted Admiralty Lawyer. From his statement on Post-war Peace Problems before the Commonwealth Club of California, December 15, 1943. *Commonwealth*, 20, pt. 2:111-15. January 31, 1944.

and to maintain a just and lasting peace among the nations of the world, and as favoring participation by the United States therein through its constitutional processes.

The Connally resolution in the Senate in its original form uses different language. It provides in part:

That the United States, acting through its constitutional processes, joins with free and sovereign nations in the establishment and maintenance of international authority with power to prevent aggression and to preserve the peace of the world.

Before the Connally resolution was voted upon, the Moscow declarations were made public. So far as our present discussion is concerned, the important provisions are paragraphs 4 and 6, which read as follows:

4. A general international organization based on the principle of the sovereign equality of all peace loving states, and open to membership by all such states, large and small, for the maintenance of international peace and security, will be established at the earliest practicable date.

6. After the war, U. S., British, Soviet and Chinese forces will not be employed within other states except to make good these principles after joint consultation.

As finally adopted by the Senate, the Connally amendment incorporated the fourth paragraph of the Moscow declarations.

It will thus be seen that the United States together with the principal powers of the world have committed themselves to the creation at the earliest practical date of a general international organization for the maintenance of international peace and security, and by necessary implication from the sixth paragraph, the principal powers will use their military force to preserve the peace, and themselves refrain from violating frontiers except after consultation with other world powers, doubtless through the world organization.

This implication amounts to an implementation of the Kellogg Pact for the renunciation of war. It amounts to stating that we will not send our troops into other states (except as part of joint action) and is equivalent to the adoption of the definition of aggression which declares the presence of troops or military forces outside of one's own boundary to constitute aggression.

If there is agreement to use military force against any military demonstration beyond the boundaries of the demonstrating power, there is thus made effective a quick and speedy prevention of aggression. The world today, and the United States in particular, is prepared to give up the right to commit aggression. The Kellogg Pact renounced war for the world. By the Moscow declaration, the principal powers are ready to implement that renunciation by some sort of world organization. All are agreed that some form of control must be devised that will work automatically so that months will not have to be spent, as in the case of Manchuria, to decide whether there is aggression, nor to take the time to decide, as in the case of Ethiopia, what particular means should be outlined to meet that aggression.

A plan which brands as an aggressor any nation whose military forces are found in another country without the latter's permission is simple of application. We give up our right to defend ourselves by invading the other man's territory. To use the language of the Moscow declaration, we will not employ our forces within other states except after joint consultation with the other powers to prevent aggression.

The Section report contemplates that the world organization shall have at its command a world police force which it can direct immediately against a given act as soon as the world organization declares that that act constitutes an act of aggression. The report does not go into details as to the nature or character of the world peace force. As to how that peace force shall be formed or controlled is a matter of practical detail to be left for later consideration. It might well be on a regional basis so that, for example, America would have the primary responsibility in this hemisphere or it might involve alternatively or cumulatively an international force ready to go anywhere in the world. Probably it will be predominantly a naval and air force. While the report does contemplate such a world police force, it recognizes the fact that during a transitional period the United States and other principal powers would not be satisfied to rely for protection against aggression upon the efficacy of an international police force and therefore the report provides that we do not reduce our armaments until we are assured of its efficacy.

But the report does contemplate that eventually we can reduce our armaments to the extent we are satisfied by actual demonstration that the international police force can work out successfully.

Participation by this nation in world machinery for peace and our agreement not to commit aggression ourselves—all that is not a limitation of our national sovereignty but the exercise of our power and sovereignty to do our part to keep our citizens secure in a world of peace.

Two world wars have taught us that after all it is "one world" and that the two broad oceans are no longer wide enough to keep the fires of war in our neighbors' territory from spreading to our country. We have learned in this war that the world is an interdependent world. The loss of British rubber plantations in Malaya, and the loss of the Dutch possessions in Java, affects our daily life. We can no longer stand isolated in the hope that the ideologies of other nations are none of our business. All this adds up to the conclusion that after the war this country cannot go back to normalcy, or back to the idea that we can be free of war merely by keeping the peace ourselves.

America is ready to do its share in world organization to keep the peace. America has learned that unless she is willing to help keep the peace of the world, she cannot keep out of war herself.

The problem of war resolves itself into two fundamental aspects: first the problem of immediate aggression. This is simply a question of meeting an aggressor by the superior force of world organization. But behind all wars are more fundamental problems. People do not fight simply to fight. They have to be inflamed by some strong emotion. They can be inflamed by anger and resentment over the mistreatment of their fellows. Hitler whipped up German anger by dwelling on the wrongs of Germans in the Sudetenland and Poland. People will fight because they have to live. In order to live they must either be able to support themselves at home or send out the products of their labor to other countries. Where there is economic distress and depression, the people are an easy prey for demagogues and selfish leaders. It was economic stress which made the people follow Hitler. When a man has lost everything, he finds it easy to join any movement which promises him anything.

The plan of the International Relations Section meets both the immediate problem of aggression and the fundamental problem of the stresses and strains which lead to war. So far as aggression is concerned, the report is specific. The Section is almost unanimous in declaring that there must be world machinery with power of indictment as to aggression and the enforcement of peace by arms if necessary. The vote on this was 123 to 7. The Section report provides that the world organization shall have the power to declare that a given act constitutes an act of aggression and what world police force should be directed against it.

At the same time the Section plan provides we shall not reduce our own armament until assured of the efficacy of the world organization in keeping peace.

This is the heart of the Section plan so far as the problem of aggression is concerned. Had there been a world police force in 1931 Japan would not have started on her career of conquest that broke up the League and encouraged Italy to take Ethiopia and Albania. At Munich there would have been an organized world force with power to overawe Hitler.

In addition, the Section plan is for America to participate in other international machinery for the solution of underlying problems. The Section report favors a permanent council of United Nations, a conference of foreign ministers, a permanent economic council and conferences to solve urgent problems such as the recent food conference. It favors our joining a permanent court of international justice and the continuance of reciprocal trade agreements.

Experience has demonstrated that certain issues are the most provocative of war. These issues the Section report does not leave to future conferences. They must be placed in the hands of the world organization for immediate action. The Section voted 99 to 23 that the world organization should have power to protect the rights of minorities, and to deal with trade barriers, and world markets and raw materials. In respect to the latter the Section makes it plain that all nations should have access to the markets and raw materials of all colonial possessions. A good many people believe that trade barriers contributed largely to the industrial and economic depression that wiped out the

middle class in Germany and made those groups ready timber for the inflammation of demagogic speakers. Again, it was the alleged inability of Germany and Japan to have access to the markets and raw materials of the world which made elements in those countries desperate to find outlets for their people and products which made them try to get by war what they could not get by peace.

Thus the Section report meets the problem of aggression and war by providing for a world police force ready at all times to meet aggression and squelch it. It goes beyond this. The report provides for machinery to meet the problems which underlie war and to solve them peacefully by conference and consultation.

I close with a quotation from a speech by our chairman, Dr. Talbott, who said:

Our own future destiny as a free people depends on the kind of world order we build following the war. It is to our interest and the interest of posterity that the world be organized for peace and that we make our appropriate contribution toward such a world order.

If this war is won and the peace is lost, the sacrifices will have been in vain. Another generation will have to face another war on a vaster scale. We must highly resolve that those who die in this war shall not have died in vain. The very object of winning the war is to win the peace that follows. The world will go either back to utter barbarism or forward to peace and freedom.

America's rendezvous with destiny is to win this war, and then win the peace by full participation in a world organization to enforce peace in the world community.

The report of the International Relations Section fulfills the inspiration of the chairman's words. It gives the framework for world peace.

A WORLD LEAGUE TO ENFORCE PEACE ^a

Among the many incidents in history which have led nations on the path of war, two may be mentioned to prove that the creation of an international police force is the answer. Both

^a By William Hermanns, German refugee of wide European experience, including studies in Geneva, Paris, and London and research work at the College of Politics in Berlin. *Christian Science Monitor*, p. 5, 13. February 27, 1943.

were tragic prologues to this world war. One happened in 1931, when Japan, alleging destruction of her railroad near Mukden by the Chinese, invaded Manchuria; the other, a "border incident," was produced by the Italians in Ethiopia four years later. Both countries, China and Ethiopia, appealed to the League of Nations. But the League failed because some of her members did not live up to the Covenant. An International Police Force could have supported the Covenant of the League and taken away from member states the feeling of individual responsibility and fear of revenge.

Ancient Greece had a League of Nations, the Achaean League. All members states, large or small—there were at one time 70 of them—had equal vote and entrusted their foreign policy to a central assembly. This League possessed a small International Police Force which in time of war was augmented by the regular armies of the member states. The League was so efficient that it compelled outside states who thought to profit by a policy of isolation to join. Thus, in 192 B. C. Sparta, who sought so long to thwart the League, had to enter the circle and accept common responsibilities.

The Roman Empire, not in its political motives but in its organizing talent, offers another example for the democracies. This colossus covered the then-known world, and lasted five centuries, because behind its laws stood the official and soldier to enforce them. The publicans and centurions, as agents of Rome, were often selected from the native provincials in order to be adequate mediators of Roman civilization. And if in Palestine the Jewish people despised them, they were nevertheless most effective in rendering unto Caesar that which was Caesar's. When Paul of Tarsus was about to be assassinated, he was protected by such an International Police Force, garrisoned in Jerusalem, and even sent to Rome upon his denial of the competence of the courts in Palestine to judge him, "being a Roman and free born." Wherever a Roman garrison was quartered, the inhabitants of that territory were protected by Roman law. The Pax Romana of the Roman Empire was guarded by recruits from these various nations, who took the oath as servants of Roman justice. Also, the mercenary troops in the Middle Ages and the Foreign Legion

of today have proved that the same uniform knits men of different nationalities together.

If pagan Greece and Rome, relying solely on their organizing ability, could promote international security, what hinders us, in a day which boasts the Bible to be the most widely read book, and Democracy the government based on Christian ethics, from succeeding in world cooperation? The United States can be considered as a trail breaker. Their 48 states are coordinated; they even set up an independent district for their national capital, so that no state may become prominent by having Washington on its territory. As they possess a federal police as a national institution, so the International Police Force would be a world institution. Naturally, the structure of this force would be quite different from any historical examples, since it would have to be chiefly an air police; its functions, however, would be as any police: defensive and not aggressive, protective and not retaliatory. Several points may be enumerated here, which, although simplified, will give some idea of how such an International Police Force might be organized:

1. The control of the International Police Force is to be vested in the Supreme Council of the League of Nations, made up of an Air Board for the Air Police, a Navy Board for the Navy Police, and a Land Board for the Ground Police.

2. An International Code, issued by the Supreme Council, should regulate all civil and military aviation, airdromes, aircraft factories, patents and monopolies.

3. The League of Nations should incorporate an International Court of Justice. All member states should pledge themselves to accept its decision.

4. Each member state of the League of Nations should contribute its share of personnel to the International Police Force.

5. Small nations may send proportionally more recruits than those with a large population to give equal opportunity and justice for every race and nation.

6. Each member state should accept a system of enlistment prescribed by the Supreme Council, which would insure impartial representation of its various groups and denominations.

7. The training schools for the International Police Force should enable an ex-member thereof to earn his livelihood when his term of service is expired. Beyond this specialized task they should become the nucleus for world universities to promote development of international aviation and security.

8. The International Police Force, as a permanent system of international security, should have extraterritorial rights.

Where should the International Police Force be based in order to safeguard its extraterritorial rights everywhere? Each nation ought to demilitarize a zone within and along its frontiers. These disarmed strips, perhaps 10 to 50 miles wide, should be proportional in area to the area of the states concerned. In and over these neutral belts acting as buffer between potential belligerents, the International Police Force would establish their constant patrol. Where a nation borders the ocean, the International Navy Police would assist the Land Police. In order to provide sufficient protection for any nation it would be the duty of experts to determine the amount of force to be distributed. Airports should have accommodation for many times the number of aircraft that would usually be stationed there. Let it be understood that the zones are demilitarized and not expropriated. Not a square yard is to be taken from a nation, and life in villages and towns within these belts would be normal except that these zones would have no fortifications, war materials, or any uniform other than that of the International Police Force. As an international trustee, each policeman, to win the confidence of the people living in his zone, would have learned in his training school their language and customs.

It is said that an air patrol over a nation's territory would put to nought national sovereignty. Sovereignty means the power of decision. A government, therefore, has sovereign rights over a person living within its own state; but even Hitler had to discover that he could as little control the air over his state as the unspoken thoughts of his people. That no nation has sovereignty over the air does not mean that the aerial rights of individual nations are extinguished. However, these rights have to conform to aerial laws laid down by the International Authority, regulating commercial and transport aircraft, air

routes, inventions and monopolies. Hence, there would be a real, and not fictitious, limitation of national sovereignty—an International Court of Justice. For any disputed question would have to be referred to this Supreme Court, and any nation would have to abide by its decision. The creation of an International Police Force, however, does not imply the maintenance of the status quo. Nature does not stand still, nor do countries.

But—one may ask—what will happen if a nation refuses the verdict of the International Court? Demilitarized belts between nations would be no barrier to attack; invasions could be launched by airborne troops.

Invasions necessitate sanctions. They can be of diplomatic, economic, and military character. The closing of consulates belongs to the first category, the blockade of a nation's coast to the second. Our total war against Germany includes all three kinds of sanctions. Any invasion in a large scale can only be barred by the combined action of army, navy and air force of all member states, and would be the concern of an International General Staff. This would not be the province of the International Police Force, whose task it is to prevent war at the outset, not to wage it.

A favorite excuse for war has been the border incident. This prestige builder is as old as government. Ever since history has recorded its events, each generation has witnessed somewhere on this planet a border incident which has caused or speeded up the outbreak of a war. Our time is no exception. In 1914 the German Government reported that French soldiers had crossed the Alsatian border a day before the declaration of war, while Germany was still trying to negotiate. In 1931, Japan, accusing China of border clashes and sabotage, started the war. A few years later, Mussolini invaded Ethiopia, the excuse being the slaying of some Italians near the border. Now, if these borders had been demilitarized and patrolled by a police force recruited from all nations, prestige-hungry governments would have had to look for another *casus belli*, not so easy to produce as German Minister Ribbentrop offered to a perplexed British Ambassador Henderson: "The Czechs have slain two Germans and stained the honor of Germany. Therefore, Germany will

occupy the border territory of Czechoslovakia to restore both honor and order."

Another cause of war is the fear of war. No international conference, no treaty, no solemn pledge has ever brought disarmaments. Even conquered people have mocked any attempt at an imposed and supervised disarmament. Thus, the most watchful master of Europe, Napoleon, was betrayed. Prussia managed secretly to build a new and well-trained army within six years after her defeat. And again, after the peace treaty of Versailles, Germany laid the groundwork for her new war machine, and this under the very eyes of an international disarmament commission. There is a psychological reason for the failure of inspections. The people have always considered inspections to be an inquisition which handcuffs their beloved nation. And however noble his motives, the inspector's mere presence will arouse that dormant prompting in man to conceal more than to reveal.

An International Police Force would stimulate a different reaction. The people would relate its presence to their own desire for security and would not consider it a body foreign to their national system. From of old they know that a policeman's duty is to protect innocent people from becoming victims of lawless aggression.

The creation of an International Police Force should not discourage a disarmament program, although such a force betokens international security for all to see, whereas written pacts will remain scraps of paper as long as political leaders have no vision. What, for example, happened to Article 16 of the Covenant of the League of Nations? It recommended military action against any recalcitrant member state. But, like the guests in the parable who were invited to the rich man's supper, they all found excuses at critical junctures and before they reached an agreement the aggressor had reached his object. With the creation of an International Police Force, however, each nation would have engaged itself in advance to prompt, vigorous and efficient action against any infringement of international law. As the policeman on the street does not have to wait for orders to break

up disturbances, so the international policeman will know how to act instantaneously.

Two questions impose themselves here. One is, shall a policeman stand up against his own country? Yes. For a policeman, sworn into an International Police Force, duty and conscience must be one. Besides, it is a psychological fact borne out by every soldier of the battlefield, that the uniformed man in crucial situations never thinks of his nation or of his flag, but always in terms closely related to his intimate surroundings. He will fight for his ship, for his battalion, for the crew of his airplane, or for his landing raid companions. Can the brotherhood of man be felt more closely than by those who wear the same uniform, eat from the same table and share the same danger?

The other question is, shall Germans or Japanese become members of an International Police Force? Certainly, for both ethical and political reasons. Every government charges itself with the responsibility for the fundamental education of its people. Where a nation, then, feels superior to others, should one overlook the government's own guilt and hold the masses responsible for being misguided? President Lincoln gives us the answer: "Must I shoot a simple-minded soldier boy who deserts, while I must not touch a hair of a wily agitator, who induces him to desert?" In a war of aggression the ruling of the middle class may benefit by a victory, but a Japanese peasant will still be a peasant and a German worker will still have to go to the factory. They know this. To teach them, the masses, and to annul the ruinous effect of their leaders' false propaganda should not be too difficult a task for Democracy. They have to unlearn what they learned and adopt a new system of values. This generation is to pioneer in an educational work which may take a century. Shall it be said that a great hour found a small generation?

A humanity that conceives of itself as first- and second-class nations and races has sentenced itself to die. Prejudice is the foe of Christianity; it leads to isolation. Here enters the political aspect of the question. However nations may choose to cooperate as the League of Nations, as a Commonwealth, or as a Con-

federacy, any union will fail of its purpose if a single great nation ignores it. The isolationism of the United States is a striking example. Since her Neutrality Act put an embargo on the sending of arms to belligerent nations, Ethiopia had to fight, with bare fists against Italy, who had bought armaments from the United States before she began hostilities. Moreover, certain nations who were not members of the League continued to sell oil and other vital materials to Italy while the 51 members tried through sanctions to blockade her. Thus, the neutrality of the United States undermined not only the collective action but also the authority of the League, helping the aggressor in two ways: it encouraged isolationism, profitable trading with belligerents, and it discouraged faith in collective security and democratic principles. It is tragic, yet true, that the dictators of our time became great not in spite of the democracies but because of them. What a lesson for the future! Neutrality with justice to all brings justice to none. Partiality for the right side brings justice to all.

More than 300 years ago this truth inspired Sully, the minister of Henry IV, to propose a plan for an International Police Force. The Abbe de St. Pierre, witness of the Thirty Years War, also outlined a matchless system of international cooperation. William Penn and Immanuel Kant appealed to the nations to accept common responsibilities that peace may come on earth. Their generations were weighed by history and found wanting. Will a future Dante say of us: "O, race of mankind, what losses must thou endure, as long as thou, beast of many heads, striveth after contrary things."

The International Police Force would become the trustee of international law. It would bind states together to prevent war and to defend one by all. It would abolish causes of war. It would promote peaceful change and resist change by aggression.

Switzerland proves that faith in the original good in man is not simply utopian. There, Aristocracy and Democracy, Protestants and Catholics, Frenchmen, Germans, and Italians have been bound in a federation with one law and police for many centuries. France, whose provinces differed as much from each other as if they were independent nations, testifies also that one

law and one executive overcomes the barriers of language and customs. A few generations ago, far-seeing men in Germany were denounced as utopians because they wanted to abolish the frontiers of half a hundred German states with as many different armies, police, and tax barriers. In the United States, history was not on the side of the sceptics of union but of the idealists—Washington and Lincoln. And he who can discern the signs of the time sees a union growing in South America, bringing to realization the dream of Simon Bolivar.

International security begins at home. Who shall rebuild it? When the writer of the first covenant came down from Mount Sinai, he said that the law "is not in heaven, that thou shouldest say, Who shall go up for us to heaven, and bring it unto us, that we may hear it, and do it? Neither is it beyond the sea, that thou shouldest say, Who shall go over the sea for us, . . . but the word is very nigh unto thee, . . . in thy heart."

HOW THE UNITED NATIONS MUST POLICE THE WORLD ¹

From the earliest times men have struggled to possess certain geographical locations which they thought would provide peace and security for the world of their day.

For the past century Britain (with the tacit approval of America) has controlled the world by means of dominating sea power. She seized control of all but three of the gateways or bottlenecks between the oceans. These three—one at Panama and two small ones in the East Indies—were held by the United States and Holland, which cooperated with Britain to maintain peace. Not a ton of interocean shipping could move on the earth without going past British or American points of naval control. Nations had to behave or be blockaded into submission.

This worked so well and endured so long that most of us assumed that no country could successfully challenge such world control by sea, because it was based upon what we supposed were the foundation facts of geography, which we thought could not change.

¹ By George T. Renner, Professor of Geography, Teachers College, Columbia University. *American Magazine*, 136:30-1. September 1943.

There we were wrong. Within the last few years growing mastery of the air has so changed the map of the world that all previous ideas for the security of nations will have to be revised. No longer can we follow the familiar flat map which depicted the earth as a waterbound planet and the far-flung continents as separated by vast ocean distances. Whether we like it or not, the airplane has forced upon us a new global map showing an air-bound world of closely knit continents, linked by aerial short cuts which by-pass the tremendous distances of the ocean lanes.

Today control of the world for peace and security no longer depends on dominating these sea lanes. On the new global map it calls for dominating the airways. That is the practical geographical problem which confronts the United Nations in their search for postwar security. But who will control the air?

Only three nations in the world—Russia, the United States, and China—have the populations and abundant industrial resources to compete for domination of the air in any prolonged armament race. Britain, the great sea power of the past century, probably could not by herself stand the strain, but as nerve center of the British Commonwealth of Nations she must be regarded as a fourth competitor.

Since no sane person would suggest that any one of these great powers should dominate the air by itself, the problem then comes down to what arrangements can be made among Russia, the United States, China, and the British Commonwealth for a combined control that will enforce the peace. If unity is achieved and a fair system set up, the small nations will be glad to be a part of it and lend moral strength.

Police power for such a United Nations system must come from an international aerial navy. There can be no such thing as "freedom of the air." And that's not "globaloney" either, for there has never been any such thing as "freedom of the seas." What we had was Anglo-American sea control, with freedom for anyone who behaved.

All nations have frontage on the air. Moreover, owing to the continuity of the atmosphere, its lack of barriers, and the mobility of planes, any future decisive air battle would have immediate and far-reaching results in upsetting the balance of political power. We cannot, then, afford to have anything like

freedom of the air. The air must be available only to peaceful nations under constant international scrutiny. Human nature being what it is, this is just as true about ourselves as it is about any other nation.

Anglo-American control of the seas was geographically possible because Britain and her allies held 13 gateways between the oceans. They were: Scapa Flow, Gibraltar, Suez, Aden, Singapore, Batavia and Surabaya (Dutch), Sydney, Darwin, Auckland, Port Stanley, Cape Town, Panama (U.S.).

Similarly, all the future air traffic between the continents can be kept under surveillance through international control of some 20 strategic airport locations in the world. The strategic geographical quality of most of these places is already becoming evident. These 20 sites are: Natal (Brazil), Dakar, Tangier, Oslo, Istanbul, Bagdad, Karachi, Bangkok, Darwin, Amoy, Fusan (Korea), Petropavlovsky, Point Barrow, Russkoe Ustye (Siberia), Novaya Zemlya, N.E. Cape and Frederiksdal (Greenland), Newfoundland, Miami (Florida), Trinidad.

Super airports and garrisons could be established by the United Nations at these 20 points. A bomber patrol could be kept flying about this circuit much as a policeman walks his beat. It would fly directly over the territory of none of the four great nations, and yet it would skirt their coasts. It would, however, fly over both Germany and Japan. Moreover, it would be in a position to intercept if need be, all trans-Arctic traffic between the Old World and the New, and to intercept all major traffic flying (or sailing) between the five great land masses.

This would seem to be far preferable to a postwar free-for-all power race for aerial control of the world, and far more sound geographically. The safeguard for man no longer lies in national valor. The national state, with its constitution, its army and navy, and its diplomacy, can no longer provide safety in the world of tomorrow. The new technology of warfare has taken military power out of the hands of the people, and the new geography has taken away their time to mobilize for defense. If we stick to outworn ideas the next war will start unannounced, with a hundred Pearl Harbors simultaneously.

International and planetary government alone promises safety for all. But we have the painful task of learning to revere it

as the source of our safety. Before we do so, we've got to make it strong enough to be worth our reverence.

The architects of the new postwar world will have to do some geopolitical thinking about airpower—not in terms of national armaments, but rather in terms of world organization and enforced peace.

At any rate, foresight is better than hindsight, and a lot more profitable. At no time before in history have there been so many people who hated war. It's about time they did something constructive about it.

ARMAMENTS AND SECURITY*

Let us make a further assumption, but one which I hope is not unreasonable—that America, Britain and at least the majority of European nations will have become convinced of the need for active cooperation in international affairs, and for making concrete contributions toward security. The first task after the war will thus be to unite a group of peace-loving nations into what we may call a Security Club; its organization may be a very loose one to start with, provided it fulfills its primary function of giving reasonable security.

The great defect of all previous attempts at international security has been that not enough was put into the common pool. However, the contributions of different nations need not all be the same in our Security Club. The contribution of the small neutrals would be the sacrifice of their sovereign right to neutrality. The contribution of Britain and the United States of America as the two biggest industrial nations, would be to shoulder the job of providing the actual armaments required. The essential contribution of France may well be greater cooperation in economic affairs. Wherever the writ of the Security Club runs—and it will run pretty widely if the war is properly won and Britain and the United States of America continue to live up to their world responsibilities—heavy arms shall only be manufactured by agreements, as part of a mutually arranged plan. In the

* By Julian Huxley, English Biologist and Writer. *New Republic*. 104:750-3. June 2, 1941.

early years, this would certainly mean that Britain and the United States would have to make the main contribution of arms, even though this would mean a delay in raising the general standard of living. By "heavy arms" I mean those without which a country cannot hope to put up a successful show in modern warfare—planes, tanks, heavy artillery, presumably submarines and larger warships. The prevention of illicit arms manufacture could be readily accomplished through the control of raw materials.

We need a similar club of nations concerned with world economic affairs, a Raw Materials Union under which would operate controls for ten or a dozen key raw materials. Withdrawal of raw material supplies would effectively paralyze the effort of any nation that infringed the ban on heavy arms manufacture. Further, modern airpower would aid both in the control and in the detection of any infringement. Nor need we trouble any longer about the conversion of civil planes for military purposes. The fire power of modern planes has increased so much (a single fighter of the latest model has a higher fire power per second than a whole brigade of infantry during the first months of the last war!) that an unarmored civil plane would be a mere death-trap if converted into a bomber. In addition, the gap between civil flying speed (limited by size of airports and by the necessity for carrying a profitable load) and the speed required of military planes is now much too great.

Thus, in the years immediately after the war, arms factories in the United States and Britain, and, let us hope, some in the dominions and India, would continue to turn out a supply of these heavy armaments. But once produced, they would not be supplied to the armies of this or that country (the exception would be, of course, that a certain proportion would still be needed to maintain peace in Europe, with Britain acting as the main European agent of the Security Club, until such time as a stable European Union could be established). They would be transported and stored in various strategic positions over that part of the world's surface which was under the control or supervision of Anglo-American power. These stores would be the arsenals of international security. Such other nations as applied for, and were granted, membership in the Security Club, would

send contingents to be trained in the use of these arms, so that these strategic points would be both the arsenals and the training grounds of security. Thus, though in normal times single nations would be restricted to such military playthings as machineguns, light field artillery and gunboats, and their armies would be in effect national militias or armed police forces, they would have trained personnel always available to man a flying force or an armored division, if needed to resist or to put down aggression.

The strategic points for the security arsenals would be chosen not merely in the light of the need for their supervision, but still more with the view of getting arms from them to any quarter of the globe as quickly as possible. The armchair strategist can play a pleasant game by selecting a list of such sites. As a first suggestion one might name Iceland, Bermuda, Trinidad, Singapore, Samoa, Gibraltar-Tangier, Port Said, western Scandinavia and the Low Countries, with a couple of South American sites if required; and of course, so long as Anglo-American control remained a necessity, there would be large arsenals at other convenient spots within the United States and the British Empire.

War emergencies may still arise in the postwar world. Certain countries are not likely at the outset to be members of the democratic club presided over by the Anglo-Saxon nations, and the possibility of infringement of the ban on heavy armaments by Germany or some other European power must not be wholly dismissed. But if the system of security arsenals we have just discussed were in existence, the emergencies could be met. Purely private arms manufacture would be a thing of the past. Governments would be the controlling agents of armament production, as part of the business of winning security. Lease and lend would still be the principle under which arms aid would operate, so that no question of payment would complicate the situation; and after the emergency was over, any surviving arms would be returned to stock. And the delays and weaknesses of the old systems would be avoided—delays in getting a decision to unite against an aggressor, and still more, delays in providing a victim of aggression with sufficient arms to resist. At the same time, the danger of private armament firms supplying all and sundry with arms would be obviated, and also the still greater dangers

arising when an aggressive nation takes over the business of supplying arms. This was, of course, the case with Germany during the last few years before the war. The Nazis took advantage of their high level of armaments production on the one hand, and, on the other, of the threatening international situation which they had themselves done so much to create, to establish favorable trade relations with various small nations by offering to supply arms to them in return for products or concessions that Germany wanted.

A further result was that these armaments, though the small countries didn't know it at the time, constituted so many reserve arsenals ("insecurity arsenals" in this case) for Germany. For Germany has proceeded to overrun these countries one by one, and the great majority of these stores of arms have fallen intact into the invaders' hands.

Looking further ahead, it is clear that such a system could be rapidly and radically internationalized as circumstances permitted. The forces guarding the security arsenals could be made more and more international. Much more important, the training centers at the arsenals could be progressively internationalized, both in spirit and in personnel, so as to provide the nucleus of an international staff; and it could be arranged that the national contingents arriving for training could be brigaded together and trained as units of a single force.

As the Security Club became larger and more politically organized, others among its members could be called on to make payments toward the cost of production of the Club's heavy armaments, and might in some cases take over a part of their actual production.

The precise nature of the security provided would depend on the nature of the political settlement. To make it really effective in the case of aggression against a single nation, it would be necessary for other nations beside the victim to cooperate in defense measures. At the outset, cooperation might be confined to the victim's immediate neighbors, together with the striking force which Britain will certainly be compelled to keep in reserve for some years for possible use in Europe or the Middle East. But as time passed, that striking force could become an international

one, and all countries within certain areas would automatically take joint action immediately danger threatened—all European countries, for instance, if the danger spot were in Europe, while another group headed by the United States would deal with the Pacific.

The existence of various national contingents other than her own in the British armed forces already provides a basis for such an international army; the establishment of international arsenals and training grounds would be a big second step in the same direction.

World peace will not be ensured by international military arrangements alone. International political and economic organizations will clearly be required as well. In particular, international raw material control is essential for any satisfactory security system. But it is more realistic to begin by treating each as a separate problem, rather than to start with an elaborate and comprehensive scheme comprising every aspect of joint international action. And if this be true, then the most practical way of getting results will be to build the arrangements for military cooperation in peace on those which have grown out of the need for cooperating in war.

AMERICA AND INTERNATIONAL ORGANIZATION⁹

The United Nations have acted as an international vigilance committee to deal with aggression. Without authorization by formal constitution or charter, the major part of the burden has been borne and the leadership has been assumed by those with the greatest military and industrial power—Great Britain, Russia, China and the United States. These four powers, meeting in Moscow, have now decided that this vigilance committee should be succeeded by a permanent international government to keep the peace after the war is won.

These nations have agreed to fight the war to a finish against their respective enemies (Japan is not at war with Russia). They have also agreed to promote the establishment at the earliest

⁹ From "America and the Postwar World," Special Section by Bruce Bliven, Max Lerner and George Soule. *New Republic*. 109:763-5. November 29, 1943.

practicable date of "a general international organization, based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small, for the maintenance of international peace and security."

Is this new organization to be patterned after the League of Nations? The Declaration of Moscow does not say, but the tide of informed opinion will probably lead to certain important differences. The differences from the League should be, at the minimum, two. The first comes under the head of actual willingness to use force, if necessary, to restrain aggression; the second comes under the head of some assurance that the force will really be used by those who have overwhelming power at their command, and will be used promptly enough to prevent a disastrous world war, instead of merely to win it after hanging over the verge of defeat.

The Covenant of the League did provide for the ultimate use of force, along with provision for other "sanctions." But most of the pacifistically inclined nations which composed the League were not ready either morally or physically to take the obligation seriously. They supposed that, once the threat of force was engrossed on a piece of paper, aggressors would be frightened by the threat to such an extent that it need never be made good. They were in the weak position of a habitual bluffer in a poker game, who the first time his bluff was called (and also the second, third and fourth) had nothing in his hand. We have learned again by bitter experience that force is the ultimate arbiter. We should not make any threats without being willing and able to make them good. If we are willing and able to do this, and potential aggressors know it, only then do we stand a good chance that the threat will suffice.

Execution of the threat, moreover, must not be hedged about by so much political machinery and so many technicalities that there is strong uncertainty whether the great powers will act when the occasion arises, or whether they will act promptly. Last time the League sanctions were hamstrung on various occasions by the non-participation of the United States in the Covenant, by the reluctance of Britain or France to take the risk of war, by the eventual isolation of the Soviet Union and by the

decision of the smaller powers to try to play safe by remaining neutral. If all could be sure in the future that Britain, Russia, the United States and China would act in unison to put down aggression, the cornerstone of security would be laid. No "international police force" which did not include the armies, navies and air forces of these powers would be capable of being more than a traffic policeman or a truant officer. But if we did include them, it would not need unanimous support from the other nations. For these reasons we favor the continuation of the nuclear alliance within the framework of the United Nations.

The sole hope for any militaristic or aggressive forces in the defeated nations which may survive this war, or may spring into being later, would be a rift within the big four. The failure of Britain and Russia to stay together, or of the Soviet Union and the United States to remain close friends, would be a victory for them. Likewise a chance of detaching China from any of the other three would give them hope. A mere spark of danger, favored by such a draft of air, might smolder and spring into flames at some future time. But if the four act as one, they will smother any fire at its inception. No Axis militarist movement would even have the chance to achieve domestic power if the Germans and the Japanese could be rendered absolutely certain that in any future war they would face the same heavy odds that will exist at the close of this one.

What assurance would these four have that none of their own number would break its promises and become an aggressor? Only the general understanding of the character and position of each. Before the war they were called even by their enemies the "satisfied" powers. They already possess great territory, stability and resources. Each requires peace for its own development, if not for its continued life. Nothing in this uncertain world is less likely than that one or more of them would deliberately attack any of the others.

But what about the other nations? What about the United Nations as a whole? Each of them is jealous of its status and rights. While none of the others has as much military power, actual and potential, as any of the big four, all will wish to be regarded as equals. We cannot create a world order without con-

sidering France or, in the second and third ranks of power, such nations as Turkey, Brazil, Holland, Sweden and the rest. Access to the resources of these nations will be necessary for the big four, either in war or in peace. The Moscow Declaration itself pledges a "general international organization, based on the principle of the sovereign equality of all peace-loving states and open to membership by all such states."

Careful thought will be necessary, insofar as such an organization is concerned with the use of force, not to repeat the mistakes of structure of the League of Nations, and not to make others equally serious.

While a mere alliance for military defense may be a proper form for the big four, it could scarcely be extended to include the whole world. In an alliance of the traditional type, each partner is bound by the acts of all the others. Of course they usually consult before acting, but the possibility remains that a rash provocation by one may commit the arms of all. With a relatively small number of stable allies, it is easier to keep joint policy unified and under control. But extending the alliance indefinitely would result in a dilemma. Either the alliance would be at the mercy of the separate decisions of a large number of states, any one of which might plunge it into difficulties, or a requirement of unanimous consent would prevent prompt action and might inhibit any action at all.

An alternative to such an alliance is a union which takes action as a result of majority vote—or a vote by some larger fraction. But here difficulties also arise. Are the several nations ready to delegate to a general international government enough of their power to remain bound, in matters of war and peace, by a vote that had gone against them? That may ultimately be possible, but at least for a transitional period it hardly seems likely. The big nations would not want to be bound by the decisions of the small. Small ones close to an aggressor, like Belgium, Holland and the Scandinavian countries in this war, might wish for prudential reasons to remain neutral until the last possible moment; and indeed it might be in the interest of the anti-aggressor coalition to have them do so.

It would therefore seem to be in the interest both of the large nations and the small that the function of forestalling aggression by the threat of force be tacitly delegated, for the present at least, to a manageable concert of the relatively few great military powers. One of the main lessons of the last peace is that political forms in which those who participate are not ready to play their full parts will not work and may become dangerous by creating a false sense of security. Another is that you cannot create a true international government merely by devising political machinery; a solid community of interests has to exist as a cement for a government. Therefore it is well to begin by building up these interests, without giving the world organization too heavy a load to carry at the outset. And it is absurd to think of a police force that is not the instrument of a government—a government at least potentially more powerful than any of its constituent parts. This is as true internationally as on a smaller scale.

The big four would of course, as individual states, be members of the world organization. It would be their privilege, if proceeding against aggressors, to ask for the support of the organization as a whole. This support might be voted, and all members might comply with the majority vote. In this case there would come into being the equivalent of a truly international government and police force. It would also be possible, if support were requested and the organization as a whole did not wish to bind its members, for the nuclear alliance to ask and obtain its moral approval for action against aggression, plus adherence to the alliance by as many individual states as found it advisable to join the hostilities. That would be roughly parallel to the situation in the present war. Another possibility would be that the world organization would by majority vote call for action by the nuclear alliance, if the latter were not formally bound to obey a majority composed of the smaller states. Finally, in case the consensus of the world organization disapproved any use of force by the nuclear alliance in a specific instance, it could so vote, and the vote might have far-reaching effects, even though not legally binding on the big four. The way would always be open for a closer approach to a sovereign international state with

full military powers, and as time went on this ambition might be realized. Even at the beginning, however, much could be done without depriving the major military powers as a group either of the initiative or of the freedom of action which is theirs in practical fact, and which their peoples are probably not yet ready formally to surrender to a world state.

How can the small nations be sure that one or more members of the nuclear alliance itself will not become imperialistic aggressors? They cannot be completely sure. But the chance of this might be greater if there were no nuclear alliance. Certainly they have not fared well under the old "balance of power." They can rely to some degree on the changing climate of world opinion, on the fact that after a successful settlement in this war none of the great powers will be driven by fear to seek new "strategic frontiers," and on the fact that as industrialism spreads over the world, imperialism becomes a less feasible course, even for the short run. Russia and the United States now have a settled anti-imperialist policy, while the British Empire is moving slowly toward converting its colonies into dominions, if not granting them complete freedom, rather than seeking to extend the colonial system. It is extremely unlikely that any of these nations or China would embark on a career of armed conquest.

It must be remembered that indispensable as the ultimate threat of force is in the process of government and the maintenance of the rule of law, it is far from the sole function of government, and is indeed essentially of no avail unless the parts of a state are held together by common interests of other kinds. There is no provision in the Constitution of the United States for coercion of the several states, and for many years the federal army was actually of less importance than the military forces of the states. What led to the strengthening of the federal government was the necessity for many common activities having to do with commerce, monetary and fiscal policies and the like. The United Nations will have much to do other than ordering armies and navies into action, if it is to amount to anything. It may at once do everything that the League of Nations did successfully—and that comprised a wide variety of activities, from arbitration of disputes and administration of mandates to

the control of drugs and the work of the International Labor Organization and Office. It may do many other things of even more importance. If the nuclear alliance as a backlog of security successfully performs only its function of preventing the outbreak of major aggression, it will seldom or never be called into play, and the main international action can be of a more constructive nature, adapted to a truly representative international government.

Every time international organization is mentioned, extreme nationalists raise the issue of national "sovereignty." Is it conceivable that the United States would surrender any of its sovereign rights to a world government, or to some group of other nations? Sovereignty is one of those vague abstractions useful as fighting words but without much precision of meaning. The United States has in the past made many treaties with other powers, and some military alliances, agreeing to various limitations on its day-to-day right to act with complete independence. It is now bound by tariff agreements, agreements to arbitrate disputes and agreements to cooperate in various other ways. No nation would possess sovereignty unless it had the right to make such agreements. There is no chance that this nation will completely merge its government with that of any future larger unit, at least for decades to come. But there is nothing either in our tradition or in our present interests that could prevent us from entering into a large number of agreements with other nations for a highly varied list of special purposes. It is in this way that valid and enduring international institutions are likely to be built up.

Yet even at the start, there may be—and ought to be—an international judiciary before which disputes among members may be brought, an international assembly, constituted on some fair representative principle, for legislative purposes, and a council or cabinet to supervise such executive functions as may be delegated to the federation. We are not unfamiliar with the operation of such institutions even in the international field. They are the rudiments of government, and through their operation international constitutionalism would have its chance to grow. There might also be an international bill of rights—or,

perhaps more fruitfully, of duties and privileges—to safeguard against anything like fascist oppression in the future. The Charter of the United Nations already adopted is a good beginning at such a declaration.

THE CASE AGAINST RELIANCE ON INTERNATIONAL FORCE

AS TO AN INTERNATIONAL MILITARY FORCE¹

Using the word force only in its military and police sense, what is the place of such a force in international relations? There are many people, including some statesmen, who would have the United States become party to an international organization backed by a military or police force. Thus the question is more than merely academic. As a world issue it has divided the reformers, embarrassed the League of Nations, precipitated angers and resentments provocative of war. It is up again just now in the discussion over Mr. Streit's book *Union Now*. It is a matter relating to the vital interests, therefore, of all countries including our own. It is perhaps the gravest question facing our modern world.

One answer to the question is that there is no place whatsoever for any such international force.

Two curiously opposed groups take this view. On the one hand there are the nonresistant pacifists who would do away with all armies and navies, a position taken by various cults and religions. It is difficult to believe, however, that this view can have any practical bearing upon international policies for some time to come.

The other group holds that each nation should organize, control, and exercise its own military force in its own way and in its own interests, without regard to the interests of other powers. Not so long ago Signor Benito Mussolini announced over the radio his opinion that collective security, "never existed, does not exist and will never exist." It would seem, therefore, that the Italian Duce purposes to run his own military force in his own way without reference to the wishes of other countries.

¹ By Arthur Deerin Call, Editor *World Affairs*; Secretary American Peace Society. *World Affairs*. 102:19-26. March 1939.

It would not be just to condemn the Italian leader for this, because it is the policy actually employed by all of the nations, including our United States. The favorite explanation for this form of policy is set forth in terms of national defense. For some time it may be expected that every nation will do its utmost to establish for itself its own adequate national defense.

While thus our question appears to be answered at the outset that the place for force in international relations is to confine it to the needs for national defense, there are other types of answer, however, deserving of respectful study.

A second type of answer to the question, for instance, is that there must be some form of collective, restraining international physical force. The argument in support of this view is quite simple. Law, they say, is useless unless backed by a police force. Individuals obey the law because back of it they see the billy, the prison, the gallows. In our municipal relationships our peace and safety rest upon rules of law backed by physical force. These simple facts undergird practically all our political institutions. Reasoning from analogy, if there is to be peace and security between nations, they argue, there must be international law backed by an international collective force.

Such reliance upon force gave rise in the long history of Greece to a number of leagues to enforce peace, dating even from prehistoric times. The Roman Empire imposed peace on her subject states for centuries under a system known as the *Pax Romana*. Faith in some form of collective military might gave rise through the centuries to a variety of peace plans, plans devised by such men as Dante, most Christian of the world's poets, over six hundred years ago; by Pierre Dubois, French contemporary of Dante; by George von Podebrad, King of Bohemia, over four hundred years ago; by Emeric Crucé over three hundred years ago; even by William Penn, Quaker founder of our City of Brotherly Love, two hundred forty years ago; by the gentlemen who brought forth the Covenant of the League of Nations just twenty years ago.

Thus a second answer to our question runs that nations cannot be expected to keep the peace unless behind their agreements there stands the threat of force. What the precise nature of that force should be does not appear in the answer.

Members of a third group answer the question more specifically with the argument that in time of emergency all nations should stand ready to pool their existing military forces. Because of the teachings of many men, they have come to believe in a system of collective security backed by force. Out of such faith, following especially the Treaty of Westphalia in 1648, grew a variety of international alliances, especially in Europe, alliances backed by the threat of force. Out of that theory of alliances grew the European system known as the "balance of power," itself a program of collective security backed by the threat of force, a system that flowered in the World War.

Through the centuries, to repeat, there have been men arguing for an international instrument for the maintenance of peace for the states backed by some sort of collective physical might. Such men controlled the peace conference in Paris in the winter of 1918-1919.

In that winter men foregathered in the capital of France for the purpose of officially ending a war that had bled white the great nations of Europe. They conceived the time propitious for establishing the nations of the world within the framework of an organization that would enable them to avoid another so terrible experience. To this end they incorporated in their treaty twenty-six articles which taken together are known as the Covenant of the League of Nations. This Covenant, aiming to promote international cooperation and to achieve international peace and security, represented the collective judgment of the thirty-two states that signed the treaty. Taken together the provisions were the expression in words of a widespread demand for some form of international military force.

Those men in Paris believed, signed their names to that effect, that all should undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of each. They agreed that a body of nine men, known as the Council, should have power to advise upon the ways and means of carrying out the military obligations. They agreed further that should any one of them resort to war it should *ipso facto* be deemed to have committed an act of war against all the rest; in which case they would all undertake

immediately to subject the offender to the severance of all trade or financial relations, to prohibit all intercourse between their citizens and the citizens of the covenant breaking state, and to prevent all financial, commercial or personal intercourse between the citizens of the covenant breaking state and the citizens of any other state whether it be a member of the group or not. Still more to the point, in such circumstances it was left to the Council to recommend to the several governments what effective military, naval or air forces the members "shall severally contribute to the armed forces to be used to protect the Covenants of the League." The members went even further and signed an agreement not only that they would mutually support one another in the necessary financial and economic measures, but that they would "afford passage through their territory to the forces of any members of the League" cooperating to protect its covenants.

In this *mélange* of agreements it is clear, therefore, that the framers of the Covenant believed that any international organization of states for the maintenance of peace between them must be based upon the sanctions of military force. Those men in Paris were more willing to accept each other's promises to go to war, even if against their own vital interests, than they were to accept their pledged word simply to abide by their self-imposed laws and thus to maintain the peace. In their conceptions of sanctions no question seems ever to have arisen as to the sanction behind the military force itself. Right was to be established by might. The *ultima ratio* of their machinery for the maintenance of peace was to be war.

It seems proper here to recall that had . . . the League of Nations undertaken to carry out its theories of an international force when in 1931 Japan moved into Manchuria, and had then undertaken to stop all commercial or personal intercourse between the citizens of Japan and those of the United States, we of this country would in all probability have been brought into an international war. Believers in the duty of the League of Nations to apply military sanctions against Italy when in 1935 she moved into Ethiopia discovered, albeit a bit slowly, that the logic of such an action would spell no less than a

European war. Britain knows that Italy's hostility to her sea power and Signor Mussolini's intervention in Spain have been mainly due to resentments because of the sanctions that the League tried to impose upon Italy for her move into Ethiopia. Dangers in the theory of military sanctions kept the League from organizing its military forces against Germany when in 1936 she moved into the Rhineland, and in 1938 when she took over Austria and parts of Czechoslovakia.

In short, it is now quite clear that those sections of the Covenant of the League of Nations calling for the use of force have been proved to be wrong in principle, contrary to the teachings of history, and whenever there has been any attempt to apply them they have been a menace to the peace of the world.

A fourth answer to our inquiry is that there must be some form of international organization backed by an international police. Indeed, there is now a school of persons under the leadership of Lord Davies of Great Britain campaigning for amendments to the Covenant of the League of Nations for the purpose of establishing an Equity Tribunal with power to investigate dangerous situations and to settle disputes; and an International Police Force to uphold international law and order, to prevent aggression and to assure peaceful settlement, on the basis of the Covenant of the League of Nations and the Kellogg-Briand Pact.

Evidently the members of this school are examining the problem in some detail. They have found certain military experts who agree that the technical difficulties of an international police force are not insurmountable, that such a force would be quite possible "whenever the nations wish it."

They go on to point out that the first step must be an international air force considerably larger than the most powerful national air force now in existence. It is proposed that such a force should serve as a reserve auxiliary force ready at any moment to aid the victim of aggression and so to threaten the aggressor as to induce him to refrain from attack. Such a force, it is felt, should be put into operation under the direction of the League of Nations.

It is suggested that the international force might have for its main base Tunisia, mandated to the League. The international army would be made up of volunteers, with a limit to the number from any one country. The recruits, to be chosen with the greatest care, would be given courses in military training schools and encouraged to regard their service as highly honorable. They would take oaths of loyalty to the League of Nations, renouncing their national allegiance during their period of service. If a recruit's country of origin is declared the aggressor he would not be asked personally to serve against it. British experts point out that there would have to be one language of command and recommend Spanish for the purpose. No little thought has been given to the development not only of an international army but also of an international navy. True, it is granted that an international force would be expected to operate only after all means of settling disputes—such as mediation, conciliation, arbitration and judicial procedures—have failed. In case of such failure, it is argued, economic sanctions should precede the application of military force; but force there must be.

In the *New York Times* of Sunday, February 5, 1939, Miss Sarah Wambaugh, who served as technical adviser and member of the Saar Plebiscite Commission, appointed by the League of Nations, argued substantially that behind all our measures for the maintenance of world peace there must be the assurance that mutual assistance against any aggressor will be amply equipped with the power of powder. Specifically and definitely she advocates the organization of an international police force. Only in such way, she says, can a reasonable degree of confidence in collective security be established, or any hope for the reduction of armaments be realized. She concluded by saying:

Force without law is violence, and the greatest of all evils. Force in itself is not an evil. Its character is determined by the purpose for which it is employed. Is there any country in existence without its background of force? Behind the law of the land are the sanctions of the law for its enforcement when necessary. As Pascal says, "We must therefore bring together justice and force and so dispose things that whatsoever is just is mighty or whatsoever is mighty is just."

But it would appear that the proponents of international police have not yet seen all of the highly technical difficulties in the way. They do not even mention such matters as the rules of strategy, sources and delivery of supplies, transportation, communications, terrain, the discipline and morale of troops, the composition of companies and battalions, the authority to give orders. It does not appear to occur to them that no international organization composed of political appointees should have the power to pass judgment upon an aggressor, unite to attack him, functioning thus as judge, jury and executioner. Such an organization might be necessary for the conduct of war. It could not properly be called an instrument for the promotion of justice for it would be in complete opposition to the operations of law, judicial settlement and peace.

Having looked at four theoretical answers to our inquiry: first, that there should be no international force; secondly, that there should be an international force; thirdly, that there should be a pooling of all forces in case of emergency; fourthly, that there should be an international police; let us turn fifthly to the answer of some actual experiences, experiences referred to frequently, apparently not frequently enough, in *World Affairs*.

The believers in the necessity for an international military force for the maintenance of peace among sovereign states appear to lose themselves in a false analogy between the coercion of individuals by policemen and the coercion of states by armies. Trouble over this analogy arose in the Federal Convention held in the city of Philadelphia during the summer of 1787. Since that was the greatest international peace conference of all time, it would seem reasonable to review the arguments upon this matter as they came up there from time to time. For example, it was there proposed that the international organization known as the United States of America should have an international army with which to bring any recalcitrant state to terms. Addressing himself to this proposal, however, Mr. Oliver Ellsworth of Connecticut, later Chief Justice of the Supreme Court of the United States, speaking before the Convention of Connecticut for the ratification of the Constitution, expressed some very

pertinent views upon the place of force in social relationships. He said:

If the United States and the individual states will quarrel, if they want to fight, they may do it, and no frame of government can possibly prevent it. . . .

Hence we see how necessary for the Union is a coercive principle. No man pretends the contrary: we all see and feel this necessity. The only question is, shall it be a coercion of law, or a coercion of arms? There is no other possible alternative. Where will those who oppose a coercion of law come out? Where will they end? A necessary consequence of their principles is a war of the states one against the other. I am for coercion by law—that coercion which acts only upon delinquent individuals. This Constitution does not attempt to coerce sovereign bodies, states, in their political capacity. No coercion is applicable to such bodies, but that of an armed force. If we should attempt to execute the laws of the Union by sending an armed force against a delinquent state, it would involve the good and bad, the innocent and guilty, in the same calamity.

But this legal coercion singles out the guilty individual, and punishes him for breaking the laws of the Union. All men will see the reasonableness of this; they will acquiesce, and say, Let the guilty suffer.

On this general scheme for setting up a League of Nations to enforce peace, Mr. George Mason of Virginia, addressing the Convention on May 30, argued—

very cogently that punishment could not in the nature of things be executed on the states collectively, and therefore that such a government was necessary as could directly operate on individuals, and would punish those only whose guilt required it.

Mr. Mason returned to this matter on June 20 when Mr. Patterson of New Jersey had acknowledged that his "Plan" could not be enforced without military coercion, saying:

Does he consider the force of this concession? The most jarring elements of nature; fire and water themselves are not more incompatible (than) such a mixture of civil liberty and military execution. Will the militia march from one state to another, in order to collect the arrears of taxes from the delinquent members of the Republic? Will they maintain an army for this purpose? Will not the citizens of the invaded state assist one another till they rise as one man, and shake off the Union altogether. Rebellion is the only case in which the military force of the state can be properly exerted against its citizens.

Mr. James Madison when it was proposed to authorize an exertion of the force of the whole against a delinquent state—

observed that the more he reflected on the use of force, the more he doubted the practicability, the justice and the efficacy of it when applied to people collectively and not individually. . . . A Union of the states containing such an ingredient seemed to provide for its own destruction. The use of force against a state, would look more like a declaration of war, than an infliction of punishment, and would probably be considered by the party attacked as a dissolution of all previous compacts by which it might be bound. He hoped that such a system would be framed as might render this recourse unnecessary, and moved that the clause be postponed. This motion was agreed to nem. con.

Alexander Hamilton on June 18 paid his respects to the proposal to set up an international League to enforce peace upon the states. He said:

Force, by which may be understood a coercion of laws or coercion of arms. . . . A certain portion of military force is absolutely necessary in large communities. . . . But how can this force be exerted on the states collectively? It is impossible. It amounts to a war between the parties. Foreign powers also will not be idle spectators. They will interpose, the confusion will increase, and a dissolution of the Union ensue.

Colonel Hamilton recurred to the matter also in *The Federalist*, saying:

Whoever considers the populousness and strength of several of these states singly at the present juncture, and looks forward to what they will become, even at the distance of half a century, will at once dismiss as idle and visionary any scheme which aims at regulating their movements by laws to operate upon them in their collective capacities, and to be executed by a coercion applicable to them in the same capacities. A project of this kind is little less romantic than the monster taming spirit which is attributed to the fabulous heroes and demigods of antiquity.

Even in those confederacies which have been composed of members smaller than many of our counties, the principle of legislation for sovereign states, supported by military coercion, has never been found effectual. It has rarely been attempted to be employed but against the weaker members; and in most instances attempts to coerce the refractory and disobedient have been the signals of bloody wars, in which one half of the confederacy has displayed its banners against the other half.

When advocating the ratification of the Constitution in the Convention of his own state, Mr. Hamilton said:

It has been observed, to coerce the states is one of the maddest projects that was ever devised. A failure of compliance will never be confined to a single state. This being the case, can we suppose it wise to hazard a civil war? . . .

But can we believe that one state will ever suffer itself to be used as an instrument of coercion? The thing is a dream, it is impossible.

Perfectly familiar with this background of American international statesmanship, it is reasonable to expect that persons concerned with "strengthening the machinery for the maintenance of peace" in the world, with "tightening up the conventions" already in force, with proposals even to set up a League of Nations for the Western Hemisphere to perfect a "Union now," will not agree to an international organization for the maintenance of peace in this hemisphere or elsewhere backed by any international military or police force.

We of this land have learned that in issues between states decisions this side of war must rest upon the common will to see justice done. Mr. Elihu Root addressing himself to this general problem on the floor of the United States Senate took occasion once to observe that "there is no security but honor and good faith." Mr. Austin Chamberlain, Foreign Secretary of Great Britain, speaking in Geneva on March 12, 1925, refused to approve the Geneva Protocol with its provision for military sanctions, saying, "do what we will, we have no choice, but, in the last resort, to depend upon the plighted word." Of course these expressions are true, not because Mr. Root and Mr. Chamberlain gave them. Those gentlemen, out of their critical intelligence, said those things because they are everlastingly true.

Every nation according to its lights is seeking its own interests. In that search some nation may infringe upon the rights or interests of another. In such case the question may arise as to who is the aggressor. That question may be settled by the parties, by diplomacy, by judicial processes. If left to politicians the prognosis is not so hopeful. Of course there remain always the possibilities of war.

From their bitter experiences with war, however, men and women everywhere are reaching out with pathetic eagerness for a saner and less devastating way. They recall that nations of the world are doing business with each other today under the regulations of some thirty thousand treaties, conventions, agreements. For the most part these contracts are kept and that because the parties conceive it to be to their interest to do so. When differences arise over any of these instruments the most profitable courses are found to be through the due processes of the law, founded in their turn on the will that everyone shall receive his due, which is the essence of justice. In the development of law and justice for the settlement of international disputes there is no place for military force, for the exercise of such force against a state is nothing but war.

It is scarcely conceivable that the United States would ever consent to join any international organization agreeing to give to it the power to wage war against the United States. It is difficult to believe that our country would agree in advance to fare forth to war at the orders of a few men sitting around a table in some distant land and that in circumstances the nature of which no one could now possibly foresee.

True, there are systems of collective security depending upon the use of force such as our municipalities and states where the final sanction of collective security is the police force. But there are larger political unities maintaining their collective security without the backing of military force; such as the French, the Dutch, the Russian, the Swiss and the British Commonwealths of States. Peace between the various political unities within each of these empires is maintained by a force superior to that of any physical might such as the military or police power. As in the case of our American Union peace between the states is maintained not by military force, but by law, international law, a kind of law that operates to maintain peace because based on the willing acceptance of the parties. There is a force greater than the power of armies, navies, police, for it is the power that creates and directs armies, navies, police.

Collective security for states, as demonstrated by our Founding Fathers in 1787, as it has been demonstrated recently in

the Mediterranean, cannot rest upon any sanctions of military force, for the only military sanction for opposing war is recourse to war itself. Attempts to establish collective security based upon the sanctions of military force lead hopelessly to collective wars.

In any international system designed to promote the peace of justice the applications of force this side of international war must be limited to issues within the states. If extended to controversies between states the inevitable result would be war. Men who established our Union of States assumed that nations are responsible for their citizens: that, therefore, it is the duty of nations to punish any of their citizens who interfere with the rights of other nations. This was so apparently just that the men of Philadelphia inserted in Article I, Section 8, of our Constitution a clause 10 which provides that Congress shall have the power to define and punish offenses which citizens commit against the law of nations. Because of this the Congress demands due diligence on the part of its citizens to obey international law. It is the duty of every nation to require of its citizens such diligence.

If every nation would adopt a statute requiring its citizens to obey international law, and provide in case they disobey it for their punishment, there would then be in force a system of sanctions effective as could be reasonably desired. Force would then find its place where it belongs, within and not between states. Then no system of collective security backed by military or police force would be necessary.

Thus far we have found two legitimate places for force in international relations: one as means of national defense; another for the use by states against their own citizens guilty of violating international law.

People genuinely concerned to bring about peace between nations had better leave armies, navies, and the technical questions of national defense to their duly chosen and responsible representatives, and stop announcing that under no circumstances may they be expected to fight. It is conceivable that conditions may develop making it necessary to fight. Men want justice more than they want peace.

There can be little hope for international peace based upon justice until respect for law becomes more widely the spiritual possession of the race. At this stage of our civilization the friends of peace may well concentrate their efforts upon the development of a judicial system for the nations. Collective security against war must naturally rest upon a sanction other than war itself. As we have seen there is such a sanction, a sanction that operates to maintain peace between the many parts of the British Commonwealth, between the states of the American Union, and between other unions of states. It is the sanction of public approval which is law. There are many kinds of sanctions, financial, economic, military, all partaking of the nature of war; but above them all is a sanction greater than any of them, the sanction of public opinion. Peace between states flows from the processes of fair play, the operation of laws, interpreted when in dispute in terms of justice. To further the extension of such a system is worthy of the best efforts of our best minds.

As from time to time through the years we have pointed out in this magazine, how such a simple program will work out in all its details of course no one can tell. The last word is never spoken. There are certain basic principles of international law determined by experience to be permanent and everlasting; but statute laws for the nations must be susceptible of adaptation to inevitable changes in international relations. Some suggest that there should be an International Court of Revision, others that there should be a Permanent Tribunal of Equity, still others that there should be an extension of the power of all judges to pass judgments on what in given cases is just and good, *ex aequo et bono*. Within our international judicial system it will be necessary to establish principles for the settlement of conflicts not already governed by existing law. Differences of opinion over the meaning of justice have constantly to be straightened out. And yet, if we may borrow from the sporting world, there must be rules for the international game, and umpires to regulate differences. In any event, tranquillity of order among nations—our best definition of peace—depends in concrete cases upon what, for the want of

a better phrase, we call the processes of justice. Dr. L. P. Jacks, long head of Manchester College, Oxford, finds no answer to the question, Who is to control the controllers—*quis custodiet custodes?* There is no answer, save it be the common will to see justice done.

In sum, therefore, success with international systems of collective security backed by threats of arms has never been marked or promising. The more one studies our question the less hope one finds for such a system at this time. It is clear that our so-called peace movement will have enough to keep it busy if it confine its efforts to establishing more firmly the eternal processes of justice, leaving to the states their duty to organize within themselves such sanctions of force as may be necessary to keep recalcitrant persons in line. An international police force will be possible, the experts assure Lord Davies, "whenever the nations wish it." Is it not equally true that nations will be able to settle their disputes by the due process of law without recourse to arms "whenever the nations wish it"? The sanction of sanctions in any system of collective security calculated to maintain peace between nations can only be the sanction of the popular will, which according to an ancient faith is the voice of God.

THE PLACE OF FORCE IN INTERNATIONAL LAW²

In response to the popular yearning for an ordered life, now that the horrors of war are upon us, individuals and societies are devoting their attention to the so-called improvement of international law. Believing the shortcomings of international law in some way to blame for the current débâcle, they naturally think in times like this of proscribing the use of force by single nations and vesting authority to wield force exclusively in some central organ, which, presumably with the aid of the good members, shall coerce into obedience the recalcitrant member states. Says the Grotius Society: "Without enforceability by

² By Edwin Borchard, Yale Law School. *American Journal of International Law*, 36:628-31. October 1942.

appropriate organs, international law will continue to be defied with impunity."

These assumptions and postulates, in the opinion of this editor, are not only without foundation in the world of facts, but if pursued, can lead only to further disappointment and disintegration of human society. The assumption, however pleasant, that state force can be proscribed by fiat and community force substituted, overlooks the fact that the national state is the unit—a highly competitive unit—of the international constellation and is likely to remain such for some time to come; that the existence of a complex of states with theoretical, if not actual, equality conditions the scope and the limitations of the law that can prevail—it cannot be imposed—among such a group of nation states; that law controls but a small and by no means the most significant segment of international relations, which find their source in human needs and ambitions; that the forces and factors that motivate masses of people organized as nations are biological, economic, social, psychological, historic and not legal in character; that until their needs and ambitions can be considered, let alone met, on the levels in which they arise, *i.e.*, until scholars cease to ignore the provocations to force, it is idle to proscribe the manifestations of force; and until attention is diverted from symptom to cause, progress will be less than slow.

Turning now to the effort to institute community or group force in place of nation force, the existence of nation states also conditions this intellectual invention. It is not easy to subject politics to legal control and it is not apparent how numerous nations can be compulsorily disarmed. The individual within the state can be controlled because he has no arms, no opportunity to resist the central authority, and must submit to societal agents. This mature system of municipal law is conceived by some to be the only system that deserves the name of law; they therefore seek by rather far-fetched and inappropriate analogy to create for nation states what they call a central community authority and then to endow it with the instruments of coercion. Both efforts are misguided and tend to impair what little understanding and accord we have in inter-

national relations and international law. The devices suggested, however noble in aspiration, ignore and break down the inexorable premises of international law—the limits of the achievable—and by arousing in the disfavored the fear of possible destruction at the hands of fellow members, frustrate that sense of trust and willingness to surrender the prerogatives of sovereignty on which alone the growth of international organization must rest. In other words, the threat of community or group force spoils any chance of an intelligent co-operation. A coercive central authority presupposes either a *Pax Romana*, which would signify the end of the national state, or a voluntary surrender of the indicia of sovereignty, including armies and tariffs, etc. But such voluntary surrender will be unobtainable so long as the threat of group force hangs over states not in control of the instruments of centralized power, or so long as it implies national disarmament. Indeed, the quest for self-sufficiency, with all that it implies, is likely for some time to become more keen than ever.

The Grotius Society admits that municipal law and international law are different in their origin, application and enforcement, but like those who admit that international law is a primitive system, they fail to draw the necessary conclusion from their premise and insist instead upon supplying what they consider the missing link by converting international law into a coercive system. As already observed, this is ruinous and utterly inconsistent with the subject matter, national states. It takes us from the frying pan into the fire. To emendate the Grotius Society formula, it is believed that "without enforceability by appropriate organs, international law is not now defied with impunity"; but the mere attempt to supply organs of enforcement will, it is believed, cause revolts from the system, defiance, counter alliances and more wars, certainly so long as the victims to be coerced and castigated are in possession of arms. The whole effort to "enforce peace," a contradiction in terms, rests in a confusion of mind, and will, it is believed, continue to end in a morass of failure. It marks the road to war, not peace. It remained for the twentieth century to develop this unfounded idea, which lies at the root of most of

the schemes now circulating. Perhaps it symbolizes "the lost peace," to use Harold Butler's term.

It is submitted as axiomatic, as premises which postwar planners cannot afford to ignore: (1) that the nature of the national state in a world of nation states is such that the competition among them for place, power and prosperity calls for a high calibre conciliation of conflicting interests, not for commands or ostracism; (2) that only by persuasion and acknowledged self-interest and not by force can the disparate states of the world be induced to create those international economic and social agencies which must help to temper, reconcile, and adjust the unfair competition which distinguishes the international life and conduct of states; (3) that law plays only a minor part in international social control and that international law cannot be endowed with the instrumentalities and machinery of municipal law; (4) that the recreation of an atmosphere of harmony, trust and mutual respect is indispensable to social order and that the threat "to enforce peace" among a group of equals is inconsistent with such an atmosphere; (5) that war in most cases is not an international crime but a social disease which has afflicted mankind from the beginning of history, and that for its eradication or dilution there is a crying need for economic and social physicians and not for political theologians.

BULLETS OR BOYCOTTS³

[*Prefatory Note.* Through the diligence of Miss Sarah B. Morgan, for many years Dean Wigmore's secretary, there has been found a short unfinished manuscript in Dean Wigmore's characteristic hand dealing with an important problem of world peace. Mrs. Wigmore has graciously given her consent to the publication of this fragment.

It will be recalled that within the present year Dean Wigmore had published a volume entitled *A Guide to American*

³ By John H. Wigmore late Dean Emeritus, Northwestern University School of Law. Edited and completed by Albert Kocourek, Professor Emeritus, Northwestern University School of Law. *American Bar Association Journal*, 29:491-3, September 1943.

International Law and Practice. For several years he gave a course in International Law and it may also be recalled that in 1930 he was nominated for a seat in the Permanent Court of International Justice. Dean Wigmore displayed a keen interest in international law and he was deeply interested in the kind of problems that necessarily must arise at the end of the present war. Since he was a personality of world-wide fame, it can not be doubted that anything he had to say on this subject is of first-rate importance and value.

It is possible that his solution of the world peace problem, if adopted, will turn the tide and mark a new era in international life. For centuries philosophers, jurists, and political scientists have considered the problem of world peace. Many have considered peace treaties as mere pauses between wars. Other have regarded war as belonging to the order of nature as a biological necessity. Some, like Francis Bacon, regarded foreign wars as beneficial for the sound health of the body politic. In recent years there have not been many optimists although hundreds of plans for a condition of perpetual peace have been put into print. Man has lived on this planet for perhaps a million years and recorded history nowhere has exhibited a concrete solution of this great problem.

Since the Napoleonic wars the results of peace treaties have, it would seem, driven the hope of a permanent solution deeper into the background. This may be due to the fact that before the rise of industry and world commerce the ideas of what the French call *chevalerie* and what the Japanese call *bushido* played a large part in war settlements. Indeed, a recent writer (Bernanos, *Lettre aux Anglais*) says that unless this idea comes again to prevail "the last chance of the world will be gone." Perhaps this idea will be the limiting condition of the success of Dean Wigmore's proposal.

The idea of boycott as a peace-preserving measure, of course, is not new. Much could be written on its failure to function as an inducement to peace. But the idea of an organized boycott by a dominant group of states supported by a system of insurance, is, we believe, entirely new. If it should happen to be adopted, and succeeds in actual practice, it will be rated as one

of the most important contributions to the welfare of the human race of all time. That the idea is feasible—of that we have no doubt. Whether, if adopted, it will succeed, no man knows. That it would in aftertime often be subjected to strain is certain, but that as against a regime of military force it is to be preferred, we believe also is certain.

In various letters written by Dean Wigmore just before his catastrophic death, he referred to this article describing it as an article lying "in his inkwell." The fragment now published probably was his last writing. Whether, so far as it goes, it was a final draft, cannot be known. The present article is a revision of an earlier draft of seven manuscript pages dated March 21, 1941. It is evident that the subject was one which he had long considered. He had probably read scores of recent books bearing on this problem. That he himself regarded the idea of boycott combined with an insurance system, as feasible, and preferable to the employment of military force, we believe, is an important fact, and it is a fortunate circumstance that his proposal, even though in imperfect form, is now available for the consideration of those who will bear the burden of once more attempting to prevent for the future the recurrence of the most persistent and devastating evil that through the centuries has afflicted the human race.] A.K.

All the proposals for a postwar world order, no matter how widely variant in the type of association favored, agree upon at least one common feature, viz., that there must be some measure for preventing a breach of international peace. And the favorite proposed measure is an international police force.

But there are two kinds of force—physical and economic. Each has its uses, and each has its successes. In the traditions of family discipline, physical force is represented by a whipping or a spanking—economic force by sending the boy to bed without his supper. So also with recalcitrant governments. Shall the force be bullets or boycotts, or both?

The present purpose is to point out the possibilities of the economic boycott as the preferable method. And the ensuing observations are offered primarily to the attention of lawyers, because, while a police force will require the expert service of

the armed forces, the economic boycott will require at every stage the expert service of the legal profession, in cooperation with the economists.

The proposed plan will be outlined, as briefly as possible, under these heads: I, The International Boycott as Preferable and Feasible; II, The Obstacle; III, The Remedy to Remove the Obstacle; IV, The Application of the Remedy.

I. The International Boycott as Preferable and Feasible. *Preferability.* It is markedly preferable to armed international police violence (equivalent to a short war) for four reasons:

1. By avoiding mutual slaughter, it would avoid the cruel ruin of family relations and the disruption of social life;
2. It would avoid the miserable aftermath of national feuds, permanent hatreds, and historic enmities;
3. It would be cheaper in money cost, and the offending nation would alone bear the principal cost (in the way to be pointed out);
4. The disturbance to international economic relations would much sooner subside.

Are not these considerations decisive, if the measure is feasible?

Feasibility. The means employed would be the severing of all economic relations, isolating the offending nation and paralyzing its international and national life, until its government yields. The measures for such severance would be:

1. All bank credits and foreign exchange to be suspended;
2. All imports to that nation, and all exports to cease, and shipments in transit to be diverted to other ports;
3. All property rights of that nation, and of its citizens, in other countries to be impounded;
4. All international communications with that nation to be controlled and censored in the other countries, and
5. Other detailed measures too lengthy to describe here.

The experience of the United Nations in World War II in organizing the control of international trade has sufficiently proved that a united exercise of the above measures could not fail to bring to terms the recalcitrant government.

Theoretically, the measure is feasible. But *politically* it encounters immediately an obstacle which would be fatal if not overcome. To that we now turn.

II. The Obstacle. That near-fatal obstacle would be the *opposition of the tradal and industrial groups*, in all the other countries, to *suffer the sacrifices that they themselves must make as a part of the boycott*. For, of course, the boycott would operate in both directions in its severance of trade relations. The stoppage of *exports* from the culpable nation would mean the cessation of those goods as importations to the other trading countries; and the stoppage of imports to the culpable nation would mean the stoppage of exports of those goods as exports from the other countries. The pressure of opposition from those combined groups upon the boycotting governments would be enormous. Nor would it be confined to the importers and the exporters directly concerned; it would include the manufacturers and the wholesalers of the exports, and the wholesalers, the retailers, and the consumers of the expected imports, all along the line. For commerce is always self-interested and generally selfish. Those groups would insist—and fairly enough—that they alone should not be made to bear the sole burden of the sacrifices necessary to effect the boycott. The cause being a national one, the burden should be a national one.

Human nature being what it is, must we not concede that a realistic view of what would be involved in such a boycott makes it certain that the outcry of opposition from all the interested groups would prevent governments from committing themselves to the plan of an international boycott? It will here be assumed that this obstacle would be fatal, unless it can be overcome by some effective expedient.

But is it, indeed, insuperable?

III. The Remedy to Overcome the Obstacle. The situation is one of mass damage to large groups of people. And there is a remedy which has long been employed to meet such situations, viz., insurance. The vast world-wide damage of maritime loss has long been thus covered; today all maritime damage law ends up in an insurance office. So, too, with personal accident

damage—with first losses—with employee defalcation losses—and, latterly, with bank deposit losses.

[The above discussion of "The Remedy" is the end of the manuscript. That Dean Wigmore intended to enlarge the argument seems probable since the material available for consideration is very extensive. Nevertheless, the point is clearly made.

At this point an important question is presented—How is the insurance idea to be organized and implemented?

Dean Wigmore's exposition presupposes a juridical organization of at least all the important states. That organization may be one of an unlimited variety of forms ranging from a *civitas maxima* (highly improbable within any foreseeable millennium) to a form of league or confederacy limited to problems of international administration (e.g., the International Postal Union). It also presupposes a continuation of the Permanent Court of International Justice and of the Permanent Court of Arbitration.

In the next subdivision (IV), Dean Wigmore proposes that member nations pay, to an economic council, assessments made against them to pay the claims resulting from enforcement of a boycott if and when declared. The implication seems to be that these assessments are to be made and paid *after* declaration of a boycott against a refractory state. If this (improbably) is the true meaning of Dean Wigmore's proposal, we are constrained to believe that it devitalizes the general plan and will result in the end in the downfall of the whole structure. There is an alternative solution entirely consistent with the general proposal. The alternative is that each member nation pay in to an economic council *each year* an assessed amount computed, as Dean Wigmore suggests, on its total external trade.

Some reflections bearing on this alternative are:

- (a) It is consistent with Dean Wigmore's general plan.
- (b) The amount of the assessment should take into consideration the military and naval outlays of the various countries. As time goes on, the need of armaments for defensive purposes will gradually diminish. As armaments diminish the amount of the assessments can be increased if it be thought desirable.

(c) Since the ending of the present war will quickly result in a diminution of war outlays, as large an assessment as can practically be supported should be made against member nations *at the earliest possible moment*.

(d) If a war of global proportions can be avoided for a period of say twenty or thirty years, assuming that all the great nations are members of the league, and regularly pay in their assessments, and further assuming that armaments are progressively reduced in *all* countries, it would seem that a long era of world peace would be a virtual certainty.

(e) As the assessments from the various member states mount up to very substantial proportions, the stake of each member in the fund will be an effective aid in maintaining, if necessary, a boycott.

(f) It is, of course, assumed that the boycott fund will never greatly exceed the amount necessary to maintain a sound reserve for the payment of claims.

(g) Since the perils of war affect chiefly those engaged in international commerce and since what is above proposed is designed for their special protection, it seems desirable that the treaty which establishes the indemnity principle, require each signatory member to collect an *ad valorem* tax on each international bill of lading sufficient in the aggregate to cover its assessment. The details may here be passed over.

IV. The Application of the Remedy. On this subdivision, Dean Wigmore left a pencil memorandum which is entirely adequate to explain his ideas. He divides the process into five stages, as follows:

"1. Individuals damaged in each country present [their] claims to their governments within [a] limited time.

"2. [The various] governments present [these and other (?)] claims to the International Claims Commission, for decision within [a] limited time, under rules for figuring trade damage.

"3. [The] Claims Commission presents [the] total [claims] to [the] International Economic Council, and [the] Council—

"A. calculates [the] total assessable upon [the] wrongdoer (= (a) total amount of claims awarded, plus (b) overhead expense incurred at (headquarters?) in effecting the boycott.)

"B. assesses the member nations [their] ratable share on [a] 4000 unit system.

"4. Member nations pay in assessed amounts to [the] Economic Council, which directs [the] International Bank to pay out awards to individual claimants.

"5. [The] Economic Council directs [the] culpable nation to issue bonds or pay cash for [the] total damage assessed."

A. K.

IN OPPOSITION TO THE SECTION REPORT⁴

The heart of the Section Report is found in Division II of the questionnaire, which recommends that the United States limit her national sovereignty in order to contribute to world organization to prevent aggression and enforce peace by arms if necessary, with such world organization having full powers of legislation (a) "to declare that a given act constitutes an act of aggression and what world police force should be directed against it," (b) to control the world police, (c) to protect the rights of minority groups, (d) to establish a world bank, (e) to regulate aerial transportation, and (f) to invalidate tariffs and trade barriers. The foregoing is taken verbatim from the Section questionnaire. With these powers granted to the proposed world organization, it would seem necessary to grant also the right to levy taxes on the constituent nations and other supplementary powers. To these quoted Section recommendations I strongly object.

It is most unfortunate that vocal groups and propaganda agencies advocating our participation in a world supergovernment with police force, use minor issues to divert our thinking from the impracticability of their plans.

They stress our failure to join the League of Nations and frequently assert that America is largely responsible for present World War II. That is just not so.

In advocating their world government, they do not analyze the history and record of the League, but direct their attack at the two-thirds rule in the treaty clause of our Constitution, at

⁴ By R. T. Cunningham, Former President, Cunningham Radio Tube Company. From his statement on Postwar Peace Problems before the Commonwealth Club of California, December 15, 1943. *Commonwealth*, 20, pt. 2:116-25. January 31, 1944.

the so-called handful of willful Senators that prevented our entry into the League and at the power of only seventeen Senators to block future world cooperation by America. Professor Royden T. Dangerfield, from a detailed statistical study of Senate action on treaties through February 6, 1928, states that including two doubtful cases only seven treaties have been defeated finally by the existence of the two-thirds rule.

Maxim Litvinoff of the U.S.S.R., is a profound student of international problems. During Munich week in September 1938, before the Assembly of the League of Nations, speaking of the League, he said, "Its object was to make that the last war, to safeguard all nations against aggression, and to replace the system of military alliances by the collective organizations of assistance to the victims of aggression. In this field the League has done nothing."

He further stated the League had not carried out its obligations to Ethiopia, Austria, China or Spain, and was not then preparing to act in behalf of Czechoslovakia.

He adequately refuted the charge that lack of United States membership was responsible for the League's failure to prevent aggression by Hitler and Mussolini. And the writings of Winston Churchill from 1936 to 1939 prove that our absence from the League was not responsible for their rise to world aggressors. . . .

Let me now analyze some elements in the heart of the report. Where it speaks of United States willingness to limit its sovereignty, it actually means surrender of sovereignty.

Sovereignty has two aspects—internal and external. A nation's internal sovereignty, wherever it resides, is absolute. Its external sovereignty is limited, qualified, or conditioned. In the United States, sovereignty resides in the people. Under the constitution they have surrendered to the Federal Government certain limited powers. The Federal Government can exercise its external sovereignty, accepting limitations on its international freedom of action, within the limits and under the conditions defined in the Constitution, in return for benefits received. But no treaty can violate the terms of the Constitution and the Federal Government cannot surrender any portion of its sovereignty

to a world government without a Constitutional amendment approved by the people.

Proponents of the superstate liken the 13 American colonies to independent nations and cite their surrender of sovereignty to a Federal Union. Actually the Confederate Colonies dissolved their union of states as unworkable, restored sovereignty to the people, who in turn formed a more perfect union under the Constitution, with such surrender of sovereignty to the Federal Government as they deemed necessary.

I quote Alexander Hamilton from Federalist Paper No. 15: "The great and radical vice in the construction of the existing Confederation is the principle of legislation for States or Governments in their corporate or collective capacity as contradistinguished from the individuals of which they consist."

This keen observation by Alexander Hamilton goes right to the heart of the fundamental weakness in a supergovernment over nations. Only government under law applied to individuals has met the test of endurance.

To recommend our surrender of sovereignty to some nebulous world organization without any indication of equal willingness by Britain, Russia and other nations to do likewise is not a constructive proposal.

Today there is real concern that the United States has reached, if not passed, the limit of size under which the people have a real voice in its government. Think then of the problems to be faced by a superstate over some sixty nations, with their diverse and varied races, languages, economic problems, ideologies, and so on.

The British Empire, because of its size, has moved towards decentralization of government. Today it has no over-all legislative body, no over-all executive, and no over-all police force. Canada, Australia, New Zealand and South Africa are essentially a cooperative association of independent nations. Their success in solving their problems is not based on military force, and their status today is due to the recovery of sovereignty by the Dominions, not its surrender to a central government.

The report in approving a substantial surrender of our sovereignty moves contrary to the best experience of successful political organizations.

I request your thoughtful consideration before recommending to the American people that they amend their Constitution to surrender sovereignty to a world organization. Let us concentrate our efforts on the practical problems of world peace not on theoretical discussions of an unsound proposal.

It is a truism that force or power is necessary to prevent aggression. Your Section wants that power to be exercised by a world police force operating under the control of a superstate.

In selling the idea of a police force to maintain world peace, certain simple but inapplicable analogies are used.

Let us examine one of them. Local police are used in our cities to maintain order and where necessary to enforce court decrees. Therefore, police power must be available to enforce law. Granted, but the great body of law that defines and protects individual liberty in our society has evolved as a slow growth, is generally understood and accepted by the vast majority of our citizens, is largely self-enforcing, and the need for police power is a minor minimum in maintaining individual security and upholding the supremacy of law.

Our civil law is based largely on the moral code. But generally accepted international law is based largely on the customs and mores of nations and not on the moral code applied to individuals.

There is no body of accepted international law dealing with aggression, therefore there can be no judicial finding and no decree to be enforced by police power. Nothing in the report defines aggression as uninvited armed forces crossing the border of another nation. The report calls for world machinery with full powers of legislation to declare that a given act constitutes an act of aggression and to determine the world police force that should be directed against it. I submit that a legislative determination of aggression and police action is not accomplished forthwith and without debate as contended by the proponent for the report. Only dictators act forthwith and without debate.

Furthermore, it is highly advisable to stop the threat of aggression before armed forces cross a frontier. The peace loving nations cannot sit inactively on the side lines and see a potential aggressor rearming, and make no move to stop aggression until the hostile forces cross some border.

Nor is police power successful in upholding and enforcing unpopular laws and a world police force without a world juridical organization is itself a potential oppressor or aggressor.

There is another aspect to this proposal of a world police. Do the proponents actually mean what they say? Instead are they not in fact advocating a rigid alliance with other nations under which the United States commits itself to automatically go to war?

But since force is required to meet aggression, how shall it be mobilized? Winston Churchill on June 12, 1936, said: "There must be a grand alliance of all the nations who wish for peace against the potential aggressor, whoever he may be." "Let all the nations and states be invited to band themselves together upon a simple, single principle: . . . who attacks any will be resisted by all." He also stated that the nations must have the will to apply this principle of mutual aid against the aggressor, that while the principle should have world-wide acceptance, it would not require the participation of all nations in particular circumstances of aggression. No supergovernment is required to marshal the moral and military forces of the world against aggressors. Only the will to do so is necessary.

An international police force under the control of some supergovernment presents too many unsolvable problems of organization, location and control to be workable. Air power alone will not be an adequate police power. An international police force in a peaceful, substantially disarmed world is worthy of consideration. But until that remote date the proponents of police power really advocate a rigid war commitment by the United States.

Let me remind you of your stand on foreign policy in January, 1941.

Then you believed that Germany aimed at political and economic domination of the Western Hemisphere, that the aggressors were a serious menace to our democratic form of government, their victory would require our great and permanent rearmament, would reduce our standards of living, and that we would eventually be forced into armed conflict for survival with the aggressors.

But yet you strongly opposed declaration of war against Germany and Italy while Britain was still strong, preferring fullest rearmament for a later single-handed fight for survival should the victorious aggressors move against us. You strongly favored all possible aid to Britain short of war.

In brief, the foreign policy you then adopted was substantially isolationism, in so far as the use of armed force was concerned.

Tonight swinging to the opposite extreme your Section recommends we surrender sovereignty to a world organization and police force. But an international police force does not mean that we will avoid war in suppressing future aggressors.

Police power is today's miracle word for insuring peace. The Commonwealth Club will not be fooled by any such word. Until the day of general world disarmament more than a police force is necessary to suppress aggressors. As long as nations are heavily armed, those among them who embark on aggression must be smashed by the overwhelming combined military strength of the united peace-loving nations with the will to act. That is war and war alone, not a policeman's job.

The shock and horror of again being involved in a deadly world war has stimulated discussion to prevent future world wars. Some plans involve much of American idealism, some a lack of realism. Slogans play their part as propaganda substitutes for truthful reasoning. The words isolationist, nationalist, internationalist are carelessly and viciously used.

Basically there are two questions regarding an ultimate world organization for peace:

1. What plan of international cooperation will prove effective and permanent in preventing future world wars?
2. Will that plan gain the support of the American people, their Congress, and the nations and peoples of the world?

Five plans are under active discussion:

1. Clarence Streit's Federal Union, requiring the incorporation of our country into an international state. The supporting argument is based on the success of the American Colonies in forming their Federal Union. The plan is fantastic and impractical.

2. Alliance with Britain, Russia, and possibly China. Walter Lippmann in his *United States Foreign Policy* is the persuasive advocate of alliance. But alliances breed counter-alliances and have always failed.

3. Revive and revitalize the League of Nations with United States participation. Units of the League's activities can be salvaged for useful world services, but as a political institution to preserve peace it is thoroughly discredited.

4. Creation of a super world government with adequate military power, advocated by a group of Congressmen under the leadership of Ball, Burton, Hatch and Hill. Since the Moscow declarations and the Connally Senate resolution the plan is definitely dead.

5. A cooperative association of sovereign nations covenanting together to preserve world peace and to use their military power to prevent aggression. The Atlantic Charter, the public statements of Roosevelt and Churchill, the speeches of Cordell Hull and Sumner Welles, the Moscow declarations, and the Connally Resolution passed by the Senate 85 to 5, all seem to favor some general cooperative world organization. Our 50-year experience with the Pan American Union points in the same general direction. The best thought today is away from surrender of sovereignty to a superstate controlling an international police force.

A few notable pronouncements indicate today's thinking on this vital question of world security.

The Atlantic Charter declares that "they believe that all of the nations of the world, for realistic as well as spiritual reasons, must come to the abandonment of the use of force."

The Catholic, Jewish and Protestant Declaration on World Peace announces that "The moral law must govern world order," that "The rights of the individual must be assured," that "International Institutions to maintain peace with justice must be organized." On this last point, I quote further: "An enduring peace requires the organization of international institutions which will develop a body of international law; guarantee the faithful fulfillment of international obligations, and revise them when necessary; assure collective security by drastic limitation and continuing control of armaments, compulsory arbitration and

adjudication of controversies, and the use when necessary of adequate sanctions to enforce the law."

The Honorable Herbert Hoover, speaking in Minneapolis September 3, 1943, said: "There are those who believe we have only to quickly set up some league or council or some world institution or some union or world parliament and then unload all of our problems upon it. It is not that easy," and "The purpose of any world institution must be to preserve peace, not to make it."

And let us not overlook the scholarly contribution of Herbert Hoover and Hugh Gibson in their book *The Problems of Lasting Peace*, and in their recent writings and speeches. Starting as almost a lone voice, we have seen many of the sound truths they announced adopted by prominent statesmen and in the Moscow declarations.

Planning enduring world peace is not an easy task. The world's history of leagues, alliances, compacts, balances of power is one of complete failure. The Commonwealth Club in doing its part will not serve the cause of peace if it advances plans that are impractical, plans that do not withstand critical analysis or the test of time.

The report is silent on our two major foreign policies, the Pan American Union and the Monroe Doctrine. Certainly these well proven contributions to world security should not be abandoned or subordinated to a world organization. The problem of aggression is in Europe and not in the Western Hemisphere and any future world aggression will probably center in Europe. Your program for world peace should be to expand and strengthen our present successful Western Hemisphere policies, and to determine in our own interest what we can do to prevent future aggression in Europe and Asia.

With final victory, the Axis disarmed, the guilty punished, we will face a truly new world setup. While civil wars and minor armed conflicts are to be expected, after victory no aggressors should threaten the world for years, since it is unthinkable that the Big Three will misuse their armed strength. Except for the Big Three, the world will be substantially disarmed. Will they gradually disarm? Will Europe be demili-

tarized? Or will European jealousies result in France and others rearming? Permanent peace requires substantial world disarmament, and lend-lease settlements can aid in that attainment.

Before any world institutions can be organized for peace, the conditions for a peaceful world must be established on just and honorable terms. Getting rid of Hitler, Mussolini and Tojo does not automatically insure a peaceful world. Settling the vital questions of boundaries, stable governments, ideologies, mandates, and economic relations are precedents to world order. No glorified peace conference can do this task. No rigid treaty can survive. For peace to be enduring will require constant changes in international undertakings as conditions change.

These postwar jobs will be done under the strong leadership of the United States, Britain, Russia and China, with the cooperation of other United Nations. And the settlements must be just and honorable if the United States is to join in their enforcement.

As world order is restored the reign of law must gradually supplant the rule of force. In the cooperation of peace-loving nations, not in a superstate, lies the path we all sincerely hope leads to everlasting peace.

United States foreign policy must be prepared to meet these many issues on which the report is silent.

In conclusion, I quote again the subject of the Section's report "The determination of the United States foreign policy to prevent the occurrence of future world wars." And its principal recommendation is that the United States surrender its sovereignty to a world organization with full legislative powers and with control of a world police force. That recommendation is a strange hybrid out of Clarence Streit's Federal Union by four fathers, Ball, Burton, Hill and Hatch.

That is not a foreign policy. That is a surrender to some supergovernment of the power to impose its foreign policy on the United States.

The Section report should not have your approval.

THAT INTERNATIONAL POLICE FORCE:
CAN IT WORK IN THE POSTWAR
WORLD? ⁶

It is surprising, and unfortunate, that so much of the current discussion of a desirable postwar world turns on the single point of pledging the United States to participation in some sort of international police system. To give only two recent illustrations, a new organization backed by well known people has been formed to unite other organizations on the simple proposal to put this country into an agreement "for collective security backed by force." Also a poll of the Senate was taken on the issue of an international police system—with results scarcely encouraging to its advocates.

Note that these builders of the future do not ask, "How can the nations cooperate to get rid of the causes of war, or use their resources and machinery to abolish poverty and build a better world?" Instead, they act like grown up children about to play an immense game of "cops and robbers," with themselves as cops, and with a reasonable assurance that in a world of so many cops there'll always be robbers.

They forget that no town or city could preserve order simply by police power. The coercive force of a really effective police system is subsidiary to positive cooperation in a community, with orderly machinery for judging disputes and for making such changes in law as changed situation may require. Simply to impose upon the passions of the postwar world a huge military establishment, subject to some undefined sort of control by a league of victors—or even by a more inclusive league of nations—will never guarantee peace.

Enthusiasts for collective security will probably reply that after this war the victors will set up such arrangements as obviously will be worth supporting by an international police system. Nothing in the world situation justifies any such confidence. Even if we could assume a far more harmonious setup for a postwar world than is now in sight, it would be dangerous to

⁶ By Norman Thomas, Socialist Candidate for President, 1928, 1932, 1936, and 1940. *The Call*. 9:1, 11, May 7, 1943.

place our chief emphasis on preserving it by international force, unless there were at least some provision for making those changes which ongoing life inexorably will require.

Those who talk about America's part in some international police system, rather than America's part in making the right kind of peace, are beginning at the wrong end. They invite suspicion, and jeopardize the future of any true cooperation, economic and political. Their logic is as bad as their history, which makes them insist that America's failure to join the League of Nations is the chief cause of the present war.

Most of them are very critical—at different points and for different reasons—of the domestic performances of the America of Harding, Coolidge, Hoover and Roosevelt; but they are sure that that America would have had the patience, the wisdom and the strength to solve the problems that the European nations, all of them members of the League, could not solve for themselves, although they had no excuse of any overt interference from this side of the water.

To make matters worse, these police enthusiasts do not even tell us clearly what sort of system they have in mind. We are to enforce an as yet unknown peace, to be worked out by Churchill, Stalin, Chiang Kai-shek and Roosevelt, by a police system that its advocates have not worked out, with the tacit understanding that rich old Uncle Sam will pay lots of the bills, and the clear understanding that the British will have their empire formally underwritten! There are however, only a few logical possibilities for an international police system and we may make progress in finding out where we are by examining them.

To begin with, most of our enthusiasts assume that "we" are going to stay a long time in Germany and Japan, using plenty of our soldiers to reform those nations by policing them, and maybe some of our school teachers, as Vice President Wallace suggests, to "reeducate" them. The "we" who are thus to play the role of a God-of-Wrath retribution and reform must include others than Americans; but all our world saviors, in and out of our government, assume that of course they, as Americans, in their infinite wisdom will really run the show. And how Churchill and Stalin must chuckle when they think of that!

These extraordinary plans for the future of as yet undefeated enemy nations and the amazing theories behind them, require later and fuller treatment. Now I pause only to warn that the surest way for any American government to arouse resentment at home and bitter hatred abroad is to keep our boys indefinitely at the job of policing the world. The sooner we can bring them home, leaving other peoples to manage their own internal affairs, the better.

Such policing as may be necessary should be genuinely temporary and under international control, only until the peoples themselves can reconstitute their own governments, with which process the victors should not interfere by wishing Darlans or Hapsburgs upon them.

As a permanent affair, the most probable international police system will be a pledge by a league of victors—to which later other nations may be added—that they will unite to fight an aggressor, defined as "a nation that may challenge the status quo which the victors will establish." It is doubtful if there will be any agreed plan of national disarmament or any abandonments of competitive air forces. It is even more doubtful if there will be any truly international force under the federation's control. If there should be, it would probably be only another force on top of the national forces to add to the general burden of militarism.

There is no precedent in history to warrant any hope that such a plan would work. However impressive an international police uniform the diplomats may give this postwar alliance, a power politics alliance it will be, doomed to the fate which befell the Holy Alliance after the Napoleonic wars, and the League of Nations after the First World War. Nations change partners in alliance more easily than dancers in old fashioned square dances. An agreement to fight an aggressor might for a time unite the British Empire, China, Soviet Russia and the United States. But not for long.

With Germany and Japan out of the military picture, unless a basic interest other than collective security can be found, the different interests, ambitions, and social theories of the present big four will drive them to rivalries little restrained by common membership in a police league. In other speeches I have pointed

to the danger that an attempted Anglo-American overlordship of Europe would drive it into the arms of Stalin. Another possibility would be an Anglo-Russian agreement—they already have signed a twenty-year alliance—more or less against the United States.

Neither of these possibilities, nor others I might mention, would be averted simply on the assurance that the United States, blindfolded, will join a police system. That might mean even more militarism, more quarrels, and more wars for us than an attempt at a comparative and friendly isolation.

At the opposite extreme from this alliance of national armies is a proposal for a small genuinely international police force. Its advocates take the United States or Switzerland as examples. They say, truly, that in a real federation of disarmed nations there would be no need of a great military establishment unless we are getting ready to fight the planet Mars. In our country the Federal Government uses real police power to deal not with the states that comprise the union, but with individual offenders against its laws. That, say the advocates of this theory, should be the pattern for a world union.

And so it should, if practical considerations or the state of mind of the peoples of the world made it possible or desirable to build a world union of nations rigorously analogous to our union of states. Nothing of the sort is true. There aren't a hundred Americans who in real earnest would contemplate letting any sort of world federation that can be formed after this war send its police into their homes and communities as the Federal Government can now send its marshalls, its F.B.I., or under exceptional circumstances, its troops.

Truth compels us to go farther. We hear much talk of an international bill of rights guaranteeing individual freedoms to be enforced by international authority. For any international police to enforce Jeffersonian freedom of speech and the press in Stalin's Russia and Churchill's India, or racial equality in South Africa and Mississippi, would mean war, not peace. The Four Freedoms—the Rooseveltian number is inadequate—cannot be enforced by international police; they can be fostered by the contagious example of democratic peoples, proper world organizations, and the end of militarism and war.

What, then, might be a legitimate function of an international military force, and how might it desirably be constituted? The answer I am giving is not in terms of some future development of world citizenship for which I hope and strive; it is in terms of the immediate postwar world. I shall give it in a series of propositions:

No international police system is possible or desirable except as it is incidental to positive economic and political co-operation between peoples to get rid of the causes of war and advance the general human welfare.

No international police system can wisely interfere with the internal affairs of the nations or regional federations which may comprise the world federation. Each nation is entitled to settle its own internal problems, including its own revolutions, so long as it is guilty of no aggression against its neighbors.

No international police system can safely or usefully exist except in a federation whose member nations have given up all aggressive, heavy armament, and confine themselves to forces sufficient to maintain internal order. Heavy armament and its manufacture, whether for land, sea or air, must be exclusively in the hands of the world federation.

The sole function of an international military establishment must be to afford protection to members of the federation against an aggressive non-member or a perfidious member nation which might arm itself for attack. This force should be kept down to the minimum necessary for its effectiveness; it should be composed of carefully selected volunteers, not conscripts, who should take the oath of allegiance to the international federation and be solely subject to its orders.

And here comes an obvious difficulty: what is to prevent ambitious heads of the world federation from using this sole great force as an engine of tyranny against any or all member nations? One answer has been the so-called "quota force principle": a world police comprising an international mobile corps recruited from the smaller nations and stationed on strategic islands owned by the world federation, and eleven national armies recruited according to quota in the stronger nations, officered by their own nationals and stationed in their own native countries, to be used at the command of the world federation

in the unlikely event of aggression too large for the mobile force to handle. Those who propose this plan consider it next to impossible to imagine that any coalition can be successfully formed or employed to attack a nation with a quota force of its own people within its own borders.

Will the nations accept any such arrangements as I have outlined in these propositions? It will meet tremendous opposition. It is worth a mighty effort to establish it or something better, if, as I think, it is along these lines that the most rational alternative in the immediate postwar world to the horrible cost of perpetuating a war system destructive of everything that we hold dear.

THAT INTERNATIONAL POLICE FORCE^o

An international police force of "irresistible" strength to enforce law and order in the postwar world is as intriguing an idea today as it was twenty-five years ago in the days of the League to Enforce Peace. To many it looks like a short cut to the ordered and peaceful world we all want. It inspires almost passionate enthusiasm in the minds of those who are caught up by the idea, just as the Union Now plan has done with others and as the outlawry of war set men on fire fifteen years ago. Like most short cuts, however, we believe that the theory of the international police force is impracticable and basically misleading as to the real nature of our job, and we will endeavor to show why we think so.

In the first place, no proposal that we have heard yet from influential sources contemplates the setting up of a force that would be truly international. All of the plans now current that we have seen provide merely for the domination of the world by a coalition of victorious nations, whose will is to be enforced on the vanquished. A more accurate name for this approach to "law and order" would be world conquest and control by a military coalition of nations. It is neither international nor does

^o By Frederick J. Libby, Executive Secretary, National Council for Prevention of War. 8p. National Council for Prevention of War. Washington, D.C. Reprint from *Peace Action*. July 1942.

it possess the elements of true policing, since there is no neutral judge back of the force used nor has the consent or support of the majority of the people "policed" been obtained. It cannot, therefore, properly be called international policing.

Another weakness of the prevailing theory is that it requires total victory of our bloc of nations over the opposing bloc as a preliminary requisite. Such victory is highly uncertain, and without victory the whole plan collapses.

A third criticism that must be made of the notion that is currently popular is that this world domination by one group of nations, however benevolent the purpose of the dominating group may be, is a form of tyranny at best which all freedom-loving peoples will abhor. Tiny Nicaragua resisted our attempt to dominate it by force so successfully that we finally abandoned the effort and abandoned at the same time our attempt to dominate Latin America with our marines. Just as Germany's domination of Europe is being resisted with every form of sabotage so, it is safe to predict, our attempt to dominate Germany would be met with every form of sabotage. In both cases and owing to the same causes, measures increasingly repressive and increasingly cruel are bound to result. The rule of brute force in a free world has become intolerable, however benevolent the tyrant. Witness the end of British imperialism in Burma, India and China.

It should be observed in passing that we have no ground for anticipating that the United States and Great Britain would be permitted by our ally, Soviet Russia, to control the policing of western Europe in case of an Allied victory. Nor can we afford to forget that there are probably in Europe many millions of underground adherents of the Communist ideology, particularly in cities—and even including Germany, where there were more than four million that voted the Communist ticket at the time Hitler acquired control. Their leaders were put in concentration camps or executed but the rank and file are in all probability awaiting their turn to be on top. The same is true in France, where a few years ago the big Communist Party was represented in the Chamber of Deputies by more than eighty elected delegates. Since Russia has carried the heavy end of

this war so far and since without Russia the conquest of Germany by Great Britain and the United States would be difficult indeed if not impossible, we had better not ignore Russia's claim to leadership in postwar Europe. What her "policing" would be like can only be guessed from her history and from Germany's treatment of her. She might be merciful. To be merciful would be wise, and Stalin has shown great shrewdness at times. He also has been ruthless at times. We would expect ruthlessness if he had Germany in his grip. We would not expect him to leave Germany to us.

We shall understand one of the limits of the international police idea if we test it in relation to the maintenance of law and order in the Western Hemisphere. Our southern neighbors have habitually shown themselves extremely jealous of their independence and watchful of the "Colossus of the North." President Hoover and the Roosevelt-Hull administration have felt it necessary to make herculean efforts to remove the fear of us from the minds of these neighbors of ours and in its place to establish faith in us as an honest neighbor whose power would never be used to intervene in their domestic affairs. We have built up with them a complete Pan American peace system, the cornerstone of which is an absolute prohibition of military intervention on the part of the United States or any other nation in the affairs of the rest. This prohibition of coercion has been essential to the success of our Pan American solidarity. We shall do well not to disregard this lesson.

One trouble with us is that we are being beguiled by the apparent success of the *pax Britannica* of the past hundred years, during which Britain with her great navy has been the dominant power in the world. She has had her share of responsibility for some wars but has prevented others. Our proposed seven-ocean navy backed by a fleet of a hundred thousand airplanes suggests that the dream of the Knox-Luce-Lippmann school of thought that we assume the burden now too heavy for little Britain is not without influence in the White House, despite the Wallace-Welles repudiation of imperialism. The reasoning is: We don't want Germany to rule the world. We don't want Japan to rule the world. Then, why shouldn't

we, with British cooperation, rule the world to insure that other nations don't? This is what some people mean by "international policing."

We reject this conception as imperialism pure and simple. We believe that the era of empire really ended at Singapore, not only for Britain but for all of the great powers, and that it is a good riddance. Henceforth the relation with their less powerful neighbors will, we hope, be no more domineering at most than that of a big brother towards his little brothers, who may be depended upon to resist vigorously, and in the long run successfully, every encroachment on their rights. This is the pattern we seem to be following in the Western Hemisphere. Similar federations are the probable outcome of the present violence in Europe and in Asia. All attempts at permanent domination through military conquest will, we believe, fail, as our efforts failed with little Nicaragua.

But suppose we abandon altogether this conception of imperialistic domination following victory, and get directly now to the question of a genuine world government backed by a genuine international police force, made up of citizens of all nations and controlled by the international government in which all nations are represented.

The first criticism of this more honest conception that comes to mind is that, in attempting it, we should be putting the cart before the horse. We tried this once in passing the Prohibition Amendment. After unsatisfactory experience with local option and state enforcement, we convinced the legislatures, or a majority of the citizens, in three fourths of our states that national prohibition would rid the nation of the drink evil. We wrote prohibition into our Constitution. Then we settled back in our armchairs and left to the Federal Government with its supposedly irresistible power the task of enforcement. The result is now history. In a word, we found out convincingly that the power behind a law is not the police, strange as it may sound, but the people who are back of the police and who either support them or don't support them in the enforcement of that law.

Applying this valuable lesson to the problem before us, we think it can be shown that the world is nowhere near ready to be coerced into virtuous international behavior. Nationalism is far too strong still. When one recalls how our Senate reacted to the two inoffensive words, "grave consequences," in the letter that Ambassador Hanihara wrote Secretary of State Hughes in 1923 regarding the probable effect in Japan of the Japanese Exclusion Act, one realizes how fatal a mistake it would be for a world government to propose the coercion of the United States. It is hardly likely that the other great powers or even our smaller neighbors in Latin America would react less nationalistically under similar circumstances.

It was on the basis of the theory that the mere threat of overwhelming force would suffice to quell violence anywhere in the world that the League of Nations proceeded until the pretty bubble was punctured by a direct challenge. It was found then that no nations were ready psychologically or otherwise to risk a world war to "prevent" war. The very idea was grotesque. The "irresistible" force was a bluff.

It seems hardly necessary to argue that the nations or blocs of nations that will emerge from this war will lack confidence in one another. Then, they will not be ready to submerge their own sovereignty under a world government or to promise to submit in future to an international police force whose mentality will be denationalized as much as possible and in which their own nations will be a small minority. Granting that our Latin American neighbors will be glad to have our airplanes based for a while upon their shores as an assurance that the might of the United States will protect them from potentially hostile powers in Europe and in Asia and the islands of the Pacific, yet our marines will not be welcomed if they are sent to "police" even the smallest Latin American state to prevent the disturbance of "law and order" by one of the frequent revolutions. As for putting the defense of this hemisphere under a genuine Pan American police force, with its high command open, for example, to Brazilians, Haitians and United States citizens alike, we are not ready even in our Pan American bloc for such advanced internationalism. When we carry over this thought

to an international police force on a world scale and realize that perhaps General Rommel might be the logical choice for its commander, we are bound to realize that an honest-to-goodness international police force is in the dream stage as yet. Probably most of its ardent advocates are unconsciously thinking only of the coercion of other nations by a force under our leadership.

We have not discussed such details as the makeup of the international police force, whether it should be an air force only, to bomb a recalcitrant Berlin or Washington into submission, or should contain all branches of the military services of the nations; how big it should be in relation to national armies; how it should be enlisted; whether it should be stationed, as British soldiers and our marines have been, all over the world to the great discontent of the countries policed, or whether it should reside inconspicuously in remote places. More important than these practical difficulties is the method of choosing the directing body of the "world government," whose will will determine where and when the international police force shall go into action. It is an interesting problem for speculation to wonder what would happen if an international body tried to prevent Russia from welcoming to her Union a soviet in Finland or Germany and threatened Russia with grave consequences if she resorted to this familiar type of aggression. We think one can safely say that it may be some time before the postwar nations and blocs of nations will entrust both their security and their vital interests to a world committee on which their present enemies have equal representation with themselves. Only after a long era of mutual confidence will the great powers, or the blocs of which they are leading members, submerge their sovereignty in a true United States of the World.

It remains to comment briefly on the federationists' favorite analogy, the formation of our own Federal Union in America, which seems to them parallel with the consummation of their dream. The flaw in the analogy is the fact that our Federal Union would never have succeeded even in getting started if it had been a bloc of seven or eight states uniting to coerce the others. The federal army was not set up by the member states for the coercion of one another but for protection from foreign

nations. What the analogy teaches if anything is that our emphasis now must be, not on agencies of coercion but on agencies of peaceful change and, still more, on spiritual regeneration, which war makes difficult. Understanding, cooperation, confidence are the fruits, not of war but of peace. The fruits of war are suspicion, bitterness and hate. Not until we end the destructive process of this war shall we be able to put in action the constructive and healing processes that will make world organization and increasing cooperation possible.

The nations now enemies must first become friends. They must gain practice in working together, as many nations have already learnt that they can in the International Labor Organization and the League of Nations commissions. They must begin with international commissions for the feeding of starving millions in Europe and Asia, for progressive and equal disarmament, for equitable control and distribution of raw materials, for international supervision of immigration problems, for the handling of international investments and international banking and international currency stabilization. When by these experiments in mutual understanding and cooperation they have learnt that they can trust one another, then international commissions can give place to international authority of a more centralized nature—provided it is found desirable. And only last of all, in this development of the international mind, will come, we believe, the international police force—after it has become unnecessary.

AMERICAN INTERNATIONALISM¹

I know that many people say: Nations are different now. They have learned. London has been bombed. Kansas City could be bombed. The world is now one. Everybody sees that now we must have collective security and an international police force. Nations, from now on will freely keep their words—or else the international police will make them.

I am prepared for that argument. I will answer it by taking the case of Estonia, Latvia and Lithuania: the Baltic States.

¹ From article by William Hard, *Washington Newspaper Correspondent*, Magazine Writer and Broadcaster, *Reader's Digest*, 43:11-14, December 1943.

In 1920 Russia recognized the independence of these states. In 1921 all three were admitted to the League of Nations. In 1922 the United States recognized their independence and complete sovereignty. Today Russia says it is going to annex them.

The League of Nations is still in existence. All its commitments are still binding upon all its members. Russia is a member. So is Britain. So are Canada and South Africa and Australia and New Zealand. So is Sweden. So are many Latin-American countries. So is France.

Under Article Ten of the League Covenant all these countries must "preserve" the independence and sovereignty of the Baltic States. Under the Atlantic Charter, by Presidential executive action, the United States has undertaken a commitment with no time limit whatsoever on it, an eternal commitment, in favor of "the right of all peoples to choose the form of government under which they will live."

Let us suppose then that the League of Nations and the United States have organized an international police force. If commitments beforehand have any value, and if the idea of an international police force has any potency or sincerity, then, on the day Russia annexes the Baltic States, the international police force must land on the eastern shore of the Baltic Sea and quell and rout the Russian Red Army.

Who thinks it will be done? Who thinks that the British Parliament or the American Congress will appropriate funds for any such purpose?

It is possible to imagine an international police stopping little wars between little countries. But such wars—like the one between Bolivia and Paraguay—are negligible. They do the world as a whole no important harm. Great wars throughout all history have been started only by great powers. At the end of this war the great powers Germany and Japan will be disarmed. The remaining great powers will be only Russia and Britain and the United States. Is there a man who can actually believe that any one of those three will consent to the creation of an international police force capable of subduing its own national army, navy and air arm?

Certainly Russia, which is Communist, and which lives in constant dread of being "encircled" and suffocated by the "capitalistic" powers, will never accept the idea of an international police force controlled and operated by a world government which the "capitalistic" powers would dominate.

For that one reason, if for no other, there is just not going to be any world government with an international police force able automatically to preserve peace everywhere and always. There is just not going to be any world-peace machine which will go tick-tock whenever there is a threat of war and will thereupon cause war to disappear from the earth. The United States cannot afford to go to sleep on the bosom of any such dream. It has to make a practical waking choice. It has to choose between entering a system of clashing war-breeding alliances and counteralliances or, on the other hand, promoting a World Union with no power whatsoever except this:

To try, by common continuous consultation, to develop that sense of world unity which alone can ultimately produce world prosperity and world peace.

In the Western Hemisphere we have seen what can be done by that method. The periodic International Conferences of American States, which use the Pan American Union as their central continuous office, have had no power whatsoever except that of consultation and recommendation. The last Conference, held at Lima, Peru, in 1938, adopted a memorable "Declaration of the Solidarity of America." But what does that Declaration say? It says simply that, if the peace of any American republic is threatened, then all the American republics will proclaim their solidarity by "coordinating their respective sovereign wills by means of the procedure of consultation" and "by using the measures which in each case the circumstances may make advisable."

That is all. Still only "consultation." Still only the measures which "circumstances" may make advisable. Still only the principles which I am here advocating for a World Union. No commitments beforehand. No force. No surrender of sovereignty. Yet observe the results.

Little by little, from 1890 to now, the American republics have developed a sense of hemispheric unity and a determination toward hemispheric peace unparalleled in history. We have in this hemisphere the most successful peace system there is. I call it our duty *and our interest* to try to extend that system to the world.

It is our interest because unless there is a World Union for the open debating of the world's economic and political problems, we shall see new alliances and counteralliances tearing the world apart again. We shall see an aggravated revival of governmental restraints upon international trade and wealth which did so much to make the last depression absolutely incurable except by artificial governmental expenditures for a new world-wide rearmament.

The world is not one in matters of culture or of religion or of forms of government but it is obviously one in matters of exchanges of commodities and in matters of exchanges of currencies and in matters thereupon of depression or prosperity. Our Secretary of State, Mr. Cordell Hull, has proclaimed this fact more energetically and with a larger measure of success than any other statesman in the world. He has seen clearly that there can be no maximum prosperity for any one country except along with an advance toward greater prosperity by all countries together. He has also seen that military peace is unattainable in the midst of destitution and despair. Or, as Mr. Otto Mallery has brilliantly put it, "Peace, to be durable, must be endurable."

We do not need to talk here of American idealism. Let us talk here only of American materialism. It is to our American material advantage to promote world-wide economic cooperation; and this can best be done, I maintain, only through a universal World Union in which the idea of world unity is every day stressed and in which the approaches to a greater world unity are every day explored.

I repeat, though, and I underline the repetition, that the existence of a World Union should in no way prevent special agreements among special powers for special purposes, named in detail and limited in duration. These would not constitute

general all-out alliances; and they are altogether necessary; because, if I may again quote Mr. Mallery, "the surest way of getting nowhere is to rely on the idea that nations of the world must all be brought to agree upon the same thing before any one of them is to start doing anything."

All nations can and should consult. But, in any given emergency, as the League of Nations sorrowfully discovered, not all nations will act. So it is necessary that nations willing to act be free to act.

Therefore, in what I have said against general alliances I would not be thought to be in any way hostile to special agreements with Britain or Russia, or both, for limited periods and for limited purposes that can be wholly and clearly disclosed and successfully defended before the bar of the World Union.

An agreement to keep Germany and Japan disarmed for a time? An agreement to use the good offices of all concerned to promote good feeling and trade between Russia and the states along its western border, thereby perhaps diminishing Russian coercive pressure along that border? An agreement to try to use both Russian communism and the "capitalisms" of Britain and the United States in a cooperative effort to build up the prosperity of the people of China for the benefit of the world in general? An agreement, in an emergency, and in known circumstances, to protect an innocent nation against spoliation while the circumstances remain the same and while the emergency lasts? Why not?

An agreement, on the other hand, to give eternal American sanction and protection to every existing boundary of the British and Russian empires against, for instance, any effort by the Chinese to push Britain out of China at Hong Kong or to push Russia out of China in the region of Mongolia? No.

Such agreements should be rejected by the United States, I think, not only for a moral reason but also for an utterly practical reason. The search for peace through sanctifying all existing international situations and through trying to freeze the world under the arbitrary dominations of the three surviving great powers can never be successful. In similar circumstances in the past the world has always wriggled out from under, in pain and blood. It will always, in similar circumstances, do so.

Dr. Carlos Martins, Brazilian Ambassador to the United States, has stated the whole problem utterly conclusively:

He says that the great powers, if they consider only themselves, can produce only universal wars. They can produce peace only if they cooperate with a world-wide system of liberty. In no other way can they win the necessary confidence, consent and support of the rest of the world.

I crave for the United States the honor—and the advantage—of being the first great power fully to realize that truth and fully to act on it. We have stopped being a bully in this hemisphere. Why should we start being a bully in the others?

No alliances. A World Union. To work toward more wealth, more peace for the world. Special agreements for the special circumstances of special emergencies of clear justice. But a World Union to scrutinize the justice of those agreements and to bring the world mind to bear upon them. And the United States, nonimperialist, nonaggressive, giving that mind the hope and the vigor that only a great power of that character can give it.

We should do no less, I think—and no more.

A FRUITFUL APPROACH TO A PROLONGED PEACE *

I believe we have made some progress toward a truly national policy. For instance, we are determined that never again shall we find ourselves unprepared as we were on the outbreak of this war, and that we must have a military force which is manifestly ready to function at any moment. We believe that if we had had such a force Hitler might never have started. We hold that there must be practical plans for a rapid expansion of our Army and Navy, that there will have to be limited compulsory military training, that never again must we be dependent on others for essential war materials, and that the approaches to the United States must be safeguarded.

* From speech by Henry Cabot Lodge, Jr., Massachusetts, in United States Senate June 18, 1943. *Congressional Record*. 89:6142-3. June 18, 1943.

Robert Moses has expressed this new feeling about the foreign policy of the future in these words:

We will go along with feeding the starving and undernourished everywhere, binding up the world's wounds, canceling debts and making loans, perhaps with some kind of League and World Court which do not require the surrender of our sovereignty and which frankly separate ultimate from immediate objectives, with moderate tariff barriers not involving the lowering of our living standards, and with immigration restricted in order to prevent the rushing in of the vast hordes who will attempt to seek escape from painful readjustments abroad.

Our people will favor cooperation with other nations in the many benefits to be derived from improvement of communications, but they won't give up nationalism. They will be for sufficient American armament to insure respect, and for an internal economy which will not again make us dependent on others for vital needs. They will be for spreading democratic doctrine by example rather than by forcing conformity upon those to whom democracy is still a new experience. Does any sane person seriously contend that with the signing of the peace our armed forces should be quickly reduced to skeletons and stripped of appropriations and respect? Not after this war. This time we shall be more prudent. We shall not disarm until we see how sincere the rest of the world is about the new utopia.

Uncle Sam is neither a skinflint nor a fool. The middle road in world affairs may not be melodramatic, but it has always looked good to him. He knows this at least—that in the long run he will win the widest respect by refusing to overpromise and by being scrupulously careful to keep his word.

I do not mean to ignore or belittle the fact that thorny military and political decisions will have to be made. They will be difficult decisions, no matter how successfully we settle our material questions about which I have been speaking. The matter of control of any international military organization and our reaction to the continuation, resurrection, and extension of imperialism are two out of many thorny questions from which we cannot escape. The question of restoring small nations without also restoring the European crazy-quilt of quarreling nationalities is another. There are many more.

But the fact still remains that the approach is important. The more matters are agreed on, the easier agreement becomes even on these thorny problems. And it is so very plain that there are things which we need in the world outside our borders,

things which we must have in order to maintain not only our material standard of living but our democratic way of living—things which we need to maintain our influence for peace in the family of nations. These are the things which should be the basis of prompt agreements based on national interest, because these are the things on which Americans can agree among themselves and regarding which reasonable men of differing nationalities should be able to come to terms. For fifty years the American people have been divided on questions of foreign policy. I submit that the test of a sound foreign policy is "that those who have disagreed are brought toward agreement."

Let me summarize:

First. It is a sacred duty to achieve effective international collaboration after the war to prevent the recurrence of these slaughters. Only thus can we be worthy of the sacrifice of our fighting men.

Second. The political and theoretical approach to the peace divides the people and defeats its own purpose. We cannot assume that the aeroplane has automatically created a state of universal brotherly love. The touchstone of any American foreign policy must be that it unites the American people.

Third. We must develop a policy based on national interest guided by justice which will bring people together as Americans regardless of racial differences.

Fourth. Such a policy can be based on those things which we must have from outside our borders to maintain our democracy, our military establishment, and our influence for peace in the family of nations.

Fifth. Some of the things which should be the objects of international agreement are:

a. Vital natural resources which we either lack completely or of which our supply is growing scarce. For example, we will soon be dependent on the rest of the world for oil.

b. Equality with other nations in international radio, telegraph, and telephone.

c. An opportunity for free competition in international aviation.

d. A real chance for our new, big merchant marine.

e. Equitable arrangements in the field of international exchange.

f. Naval, military, and air bases to safeguard the approaches to the United States.

Sixth. Agreement on these practical matters will make agreement easier on the great political problems. It is a fruitful approach which will unite the people.

Indeed the challenge of making a conclusive peace is too compelling to be met in any other spirit. The sacrifices made by American fighting men impose the duty of developing world relations which will work, which will be accepted, and which will meet the issues of our time. We simply cannot afford the pride of opinion which says that it must be done a certain way or not at all. That the cosmic approach is attractive to many people cannot be denied. Certain aspects of it are attractive to me. In a less important cause we might tolerate it. But in the vital, soul-stirring task of making a just and lasting peace for our children and grandchildren we cannot afford this dubious luxury. We have the stern duty of being practical, of making a peace which will work. Only thus can we be worthy of the sacrifice of our fighting men.

WHAT ABOUT INTERNATIONAL POLICE? ⁹

The best thing about the French proposal for an armed police force to be placed at the disposal of the League of Nations is that it has no chance whatever of being adopted. This idea is not a new discovery with French statesmen. It constituted the corner stone of their policy at Versailles, and since that time the French government has consistently sought to put teeth into the Covenant. Partly as a result of French efforts, armed sanctions, as a last resort, were incorporated into the Covenant. If in a given crisis the Council is able to reach unanimity of opinion, it is authorized to *request* the member nations to support its decisions with moral, diplomatic, economic and military force. Subsequent events, however, have revealed

⁹ Editorial. *World Tomorrow*. 15:71. March 1932. Reprinted by permission of *Christian Century*.

unmistakably that the respective nations have retained the right to decide for themselves the nature and extent of the support to be accorded to the League. The notion that the League is a superstate with power to order American boys to render military service in distant corners of the earth never attained a higher status than myth or falsehood—various and sundry members of the United States Senate to the contrary notwithstanding.

Mr. Charles Evans Hughes once put the case against international armed police convincingly by pointing out that such force can only be used under circumstances where it is not needed, and in cases when it appears to be required, it cannot safely or effectively be used. That is to say, where a weak country is concerned the League has other effective sanctions, while in the case of a great power, the use of armed force might easily precipitate war.

An equally valid argument against an international police force is found in the contention that armed sanctions are entirely unnecessary. Local government does require policemen to enforce laws and protect society from criminal individuals and mobs—although there is no ethical justification for capital punishment. Organized communities, such as municipalities and states, may be coerced without violence. States do not compel cities to observe their agreements by resort to armed force, nor does the Federal Government or the Supreme Court of the United States rely upon armaments to secure observance of national laws by the respective states. Likewise, it would be fatal for the League of Nations to attempt armed coercion of a great power. Moreover, effective non-military sanctions are available for use in any crisis.

If, in the early stages of the Manchurian crisis, the League had registered a vigorous moral judgment in a legal form against Japan, such prompt action might have stopped the Japanese militarists then and there. If not, then, the League without delay should have warned Japan of an impending diplomatic boycott. If the warning failed to achieve the desired result, all diplomatic dealings with Japan should have been abandoned until she indicated a willingness to observe international obligations. If this combination proved to be ineffec-

tive, an embargo against raw silk and certain other Japanese commodities of export, supplemented by an embargo against cotton and other shipments to Japan, would have compelled Japan to yield.

The reason why these sanctions have not been used is not due to their lack of effectiveness, but for a variety of other reasons, including the embarrassment of certain powers because they themselves have set the example for Japan by taking similar action many times in the past, and their reluctance to say that they will agree never again to intervene with armed force in other lands, and the further fact that at least one great power appears to be willing to support Japan in return for Japanese assistance in other areas.

In upholding the adequacy of non-military sanctions, it is not necessary to take the position that moral, political and economic pressure will always prove to be 100 per cent effective. It is easy to point out that municipalities have not always abided by all state laws and that certain decisions of the Supreme Court of the United States have been flouted by the states.

Concerning every proposed sanction we should inquire: Is it effective? Is it ethical? *The World Tomorrow* is convinced that an international armed police force would be neither effective nor ethical—nor necessary.

CHRISTIANS AND AN ARMED WORLD ORDER¹⁰

Are the Christian churches prepared to accept without protest or challenge an armed world order? Are they ready to acquiesce in an international society sustained by bayonets, whose ultimate sanctions would be the dominance of force? Further reflection on the radio speech in which Mr. Churchill interpreted to the world the significance of his historic meeting with President Roosevelt shows that this is the issue which the churches must face if the war results in a clear-cut victory for either side. All the belligerents are now dedicated to the attainment of a world in which they may impose their will by strength of arms

¹⁰ Editorial. *Christian Century*. 58:1102-4, September 10, 1941.

and maintain their control by overwhelming concentrations of force. To these concentrations of force, too menacing to be defied, they intend to give the name "peace."

Insofar as the United States shares in the making of the post-war world it too, according to the British Prime Minister, is now committed to a proposal to base that world on an overwhelming concentration of military power in Anglo-American hands.

The Christian churches have always known that, in the event of a decisive victory for the Axis dictators, they faced the problem of survival in a world ruled by force. They have recoiled from that prospect in horror. Such a peace, they have realized, would be no true peace but for much of mankind a scarcely disguised slavery. For that reason more than any other it has proved possible for some church leaders to see the struggle as a war for righteousness and freedom in which the strength of an ethically sensitive Christian church must of necessity be enlisted against Hitler and all his hosts. . . .

But now, in the light of Mr. Churchill's avowal, the Christian churches should be shocked to discover that, in the event of victory for the nations which are opposing the diabolism of Hitler, these also intend to set up a world order ruled by force—naked, unchallengeable force. We feared that some such concept lurked behind the ominous silence of the Eight Points concerning an association of nations or any form of international organization in the postwar world. But Mr. Churchill has made the prospect explicit. The plan upon which he has agreed with the President of the United States for the ordering of international affairs after the war, so he tells us, differs from the plans which Woodrow Wilson and the Allied leaders of 1918 had in mind in that "we intend to take ample precaution to prevent its [war's] renewal in any period we can foresee by effectively disarming the guilty nations while remaining suitably protected ourselves."

There will be many, both in Britain and in the United States, to whom this will appear as the most elementary good sense. Peace has been endangered, peace has been destroyed by the ambitions and terrorism of certain "guilty nations." To secure the future, let these nations be disarmed and then let the nations which have served the cause of righteousness by disarming them

protect the ensuing peace by walking guard up and down the earth, maintaining such vast armadas on the seas and in the air, such huge armies on land, that no potential troublemaker will dare dream of lifting a finger in rebellion or protest. Here is an exceedingly simple formula by which to establish world peace. It is the formula to which Mr. Roosevelt and Mr. Churchill have committed themselves. It is a formula to which many who pride themselves upon their "realism" will give enthusiastic approval. But is it a Christian formula? Can the churches approve it?

Even in the churches there will be many who will resent the suggestion that the world which Mr. Roosevelt and Mr. Churchill contemplate would be in any respect like the world which Hitler and Mussolini are fighting to establish. If sufficiently pressed they will admit that, yes, there is an element of force involved in the postwar order that evolved in the Atlantic conference. But force, they will insist, is a necessity in any successfully operating world order, and the heads of the British and American governments intend to use force only because there is no alternative. Peace, in a world which contains Hitler, must rest on force—but in this case it is to be force used benevolently, with wisdom and patience and self-denial. It is to be the reluctant force required to bear "the white man's burden" on a hitherto unexampled scale.

How easily we fool ourselves! Will the prospect of a world controlled by force be any less repulsive to others simply because *we* use it? At the moment it is undoubtedly true that, in any choice between a world under Axis domination and a world under Anglo-American domination, the overwhelming majority of the world's people would choose the latter. That is because the ruthlessness and the exploitation of Axis advance constitute such an immediate menace to the small states and the undeveloped colonial areas of the world. But once let this Axis menace be dissipated, to be followed by decades or generations of Anglo-American world rule, and the tide of hate against our rule will rise until nothing but absolute ruthlessness can hold it in check. And that not forever.

We are so sure of our own righteousness, of the purity of our motives and the sufficiency of our wisdom that we find it

seemingly impossible to get it through our heads that the rest of the world does not trust us. Take the situation in the Far East as an illustration of our capacity for self-deceit. We are sure that the future peace of the Orient, and of the world, cannot be trusted to an overwhelmingly armed Japan—and in that we are right. But we are equally sure that the Orient can trust us with overwhelming force in our possession. But why should the peoples of the East trust us—Britain with her tightly held colonial empire; the United States with that march across the Pacific which has already taken us to Hawaii, to the Philippines, to Guam, to Samoa, to Midway, to Wake, to Howland, to Palmyra and now is talking about a share in the great naval base at Singapore? The truth is that they do not trust us, and the closer we come to achieving the armed superiority needed to assure control over an "Anglo-American century" the faster will this lack of trust turn into fear and hatred and the promise of revolt.

The outlook in Europe is even more grim. For in that continent the prospect of a peace imposed by overwhelming British and American force must take into account the fact that Russia no longer remains among the "guilty nations," but is rather now playing so important a part in the war against Hitler that it may logically demand a lion's share in the arrangements for peace. What kind of future lies in store for Europe in a force-imposed peace wherein most of the force is to be wielded by Stalin? One's mind recoils from any such prospect, but it is contained in Mr. Churchill's declaration unless (and who would dare to whisper this today?) the powers that mean to disarm the guilty and hold the world under their beneficent policing also mean, when Hitler has been disposed of, to turn to the disarming of Russia.

Stripped of all high sounding phrases, what is the picture of the world after a victory over Hitler which Mr. Roosevelt and Mr. Churchill have in mind? That well informed Washington weekly, the *United States News*, speaking on the authority of "privately made statements of high officials," recently summed it up in this vivid fashion: "The President's policy is guided by a conclusion that this war is to decide who will make the rules

for running the world—the United States and Britain as in the past or Germany and Japan. . . . The war basically is fought to determine . . . who is to have the privilege of pushing other people around." Few of us like such direct and unmistakable talk. We prefer to have our political leaders dress it up in soft words. But there is the reality: *"The war basically is fought to determine who is to have the privilege of pushing other people around!"*

What will it do to us if we find ourselves masters of a world in which we can enjoy to the full the sensation of pushing other people around? It will do things to our political life, to our social order, to our economy—things many of which we do not like to contemplate. But what will it do to our souls? What will be the consequences of such a world order for the Christian churches? What will happen to them, to their Christian witness, to their gospel, if they accept such a world? The President said on Labor Day that the stake in the present struggle is "the future of Christian civilization." How Christian will a civilization be in which three great powers, one of them avowedly atheist, disarm all others and then set out to impose their will on men? And what kind of churches will the churches of those powers be twenty, fifty, a hundred years hence if they provide religious sanctions for that sort of armed world order?

Mr. Churchill's revelation of the nature of the postwar world in the event of a victory over Hitler has not come a moment too soon to awaken the churches to the peril confronting them. As to the peril implicit in a Hitler victory, they have never been under any illusions. But now they should perceive a spiritual peril equally great in a victory over Hitler—the peril of providing a spiritual sanction for an order maintained by bayonets. The only escape is to be found in an entirely different *kind* of peace—neither the peace of which Hitler has dreamed in his megalomania nor the peace of which Mr. Churchill now speaks in his grim implacability. It must be a disarmed peace, but a disarmament shared by all nations alike. It must be a peace which establishes no master-servant relationship between the nations to poison the future. And since it is precisely this master-servant relationship for which both sides now acknowledge that they seek victory, it must be a peace without victory.

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